THE SECOND PART OF THE PRESENT STATE OF England:

Together with

DIVERS REFLECTIONS UPON The Antient State thereof.

By *EDWARD CHAMBERLAYNE* Dr of *Laws* and Fellow of the *Royal Society*.

The *SECOND EDITION*, Corrected, and newly Augmented.

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ORNATISSIMO
CONSULTISSIMOQ;
VIRO
D. JOS. WILLIAMSON
ARMIG.
E SOCIETATE REGIA
LONDINENSI,
IN REGNI COMITIIS
SENATORI,
REGIÆ
MAJESTATI
AB ARCHIVIS STATUS
ET
INTIMIORI CONCILIO
A SECRETIS,
HOC
QUALE-QUALE
ENCHIRIDIUM
L. M. D. C. Q.
E. C.

George Harding N.S. #9 # 95 July 1, 1932 5/- (DHC)

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QUALECUNQUE

ENCHIRIDION

L. M. D. C. C.

R. C.

TO THE READER.

IN a former ſmall Treatiſe, intituled, The Preſent State of England, the Author

having given a ſuccinct Account of the Government *in general, as it is* Monarchical; *and therein, of the* King, Queen, Princes *and* Princeſſes *of the* Blood; *of the* Great Officers *of the* Crown; *of the* Kings, Queens, *and* Duke *of* Yorks *Courts, of the Three States of* England,

land, Clergy, Nobility, *and* Commons, *and of divers other remarkables.*

In this Second Part *of the Present State of* England, *he hath endeavored to describe with the like brevity, the* Particular Government *of* England, Ecclesiasti-

cal, Civil, *and* Military: *The several Courts of* Justice, *the Offices and Officers belonging thereunto*; *and* (*for the sake of Foreigners*) *to exhibite a particular Description of the Famous City of* London, *of the Two Renowned* Universities, &c.

In erecting such

a ſpacious and various Edifice; the Spectator, at firſt view, will hardly conceive how much pains was beſtowed in digging the Foundation, in raiſing Scaffolds, in finding, conveying, and fitting Materials, in contriving the Architecture; *in removing the Rubbiſh,*

&c.

&c. *Other* Builders *conſult onely their own Brains, and the Dead (that is Books) whereunto acceſs may be had at all hours; but in this* Work, *the Living and the choiceſt among them, were to be adviſed with, whereof ſome were far diſtant, others ſeldom*

dom at leiſure, ſome unwilling to communicate their Knowledge, others not at all affable.

However, if the Reader, *reaping in few hours, the Fruits of many Moneths labor, ſhall receive any content, the Author will not onely*

onely be ſatisfied for this, but encouraged for another like Enterpriſe.

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Angliæ Notitia, OR THE PRESENT STATE OF ENGLAND:

The Second Part.

Of the Government of England *in particular; and First of the Kings most Honourable Privy Council.*

THE Government of *England*, in particular is either *Eccleſiaſtical*, *Civil* or *Military*, wherein the King is ſupreme Governour in all Cauſes and over all Perſons; from him is derived all Authority and Juriſdiction. He is *quaſi Intellectus Agens*, *Forma formarum*, *vel potius Mundi Anglici Deus*, And the *Pri-*

mum Mobile thereof, from whence all the Inferiour Orbes derive their Motion, is that Noble Honourable and Reverend Assembly called *Concilium secretum, Privatum vel Continuum Regis Concilium*, which is a Court of such Antiquity and Honour that it may be said to be higher then the highest Court of *England* (as the Parliament is usually called) for our Parliaments are not only much younger, but also may truly be said to be the Productions of the Kings Privy Council as appears by the words of the Writ for summoning of a Parliament. This is the highest watch Tower of the Nation, wherein the King with all his good Centinels and Watchmen about him takes a careful survey of all his Dominions, and sometimes of all the Domininons of the World as any of them have any Relation to his, where he Consults and Contrives how to protect his numberless Subjects, not onley from Injuries amongst themselves, but from the wrongs and violences of all other Nations, where he doth consult and watch for the publick good, Honour, Defence, Profit, and Peace of all his people.

Before the later end of *Henry* the Third. *Quod provisum fuit per Regem & Concilium suum Privatum sigillaque Regis confirmatum proculdubio legis vigorem habuit*, saith *Spelman*.

The Primitive and ordinary way of Government in *England*, was by the King and and his Privy Council, and all our Kings have

have acted much by it, determining Controversies of great importance, sometimes touching Lands and Rights between party and party, whereof there are very many Precedents, and the Judges of *England* in some difficult cases were not wont to give Judgment, until they had first consulted the King or his Privy Council. Moreover the Lords and Commons assembled in Parliament, have oft-times transmitted matters of high moment to the King and his Privy Council, as by long experience and wisdom better able to judge of, and by secrecy and expedition better able to transact some State Affairs, then all the Lords and Commons together.

At present, the King and his Privy Council take Cognisance of few matters that may well be determined by the known Laws and ordinary Courts of Justice, but onely, as aforesaid, consult for the Publick Good, Honour, Defence, Safety, and Benefit of the Realm, not medling with matters that concern Freeholds, but matters of Appeal and sudden Emergencies.

The Lords of the Privy Council are as it were a part of the King, incorporate with him and his Cares, bearing upon their Shoulders that great weight, that otherwise would lye wholly upon His Majesty, wherefore of such high value and esteem they have always been, that if a man did but strike in the House of a Privy Counsellor, or elsewhere in his presence, he was grievously Fined for the same, and

and to conspire the death of any of them was made Felony, in any of the Kings servants within the *Check Roll*, and to kill one of them was High Treason.

A Privy Councellor, though but a Gentleman, shall have precedence of all Knights, Baronets, and younger Sons of all Barons and Viscounts.

The Substance of their Oath is, That they shall according to their power and discretion, Truly, Justly, and Evenly, Counsel and Advise the King, in all matters to be Treated in His Majesties Council, that they shall keep secret the Kings Counsel, *&c.*

By Force of this Oath, and the Custom of the Kingdom of *England*, a Privy Counsellor is made without any Patent or Grant, and to continue onely during the Life of the King that makes him, nor so long unless the King pleaseth.

Heretofore there hath been usually a Lord President of the Kings Privy Council, a Dignity of so high Repute, that by a Statute of *Henry* the Eight, he is to take place in publick, next to the Lord High Treasurer of *England*: His Office was to speak first to business, to report to His Majesty the Passages and State of businesses transacted at Council Table. The last Lord President was the Earl of *Manchester*, Father of the present Lord Chamberlaine.

To his Privy Councellors the King of *England*, may declare or conceal

ceal from them whatſoever he alone judgeth fit and expedient, *qua in re* (ſaith the Excellent Sir *Tho. Smith*) *abſolutiſſimum eſt hoc Regnum Angliæ præ Venetorum Ducatu aut Lacedæmoniorum Principatu.*

The King with the advice of his Privy Council doth publiſh Proclamations binding to the Subject, provided that they are not contrary to Statute or Common Law.

In caſes where the publick peace honour or profit of the Kingdom may be endangered for want of ſpeedy redreſs, there the King with his Privy Council uſually make uſe of an abſolute power if need be.

The Members of this moſt Honorable Council are ſuch as his own free Will and meer Motion ſhall pleaſe to chooſe, and are commonly men of the higheſt rank, eminent for Eſtates, Wiſdom, Courage, Integrity, *&c.* And becauſe there are few caſes of moment ſo temporal, but that they may ſome way relate to ſpiritual affairs, therefore according to the general Rules of Policy and Government, which God himſelf ordained amongſt his choſen people the Jews; the Privy Council (as well as the great Council of Parliament) is compoſed of Spiritual as well as Temporal perſons, ſome of the principal Biſhops of *England* have in all times been choſen by His Majeſty to be of his Privy Council.

The Lords of His Majesties Privy Council, are at present these that follow:

His Royal Highness the Duke of *York.*

His Highness Prince *Rupert.*

Gilbert Lord-Archbishop of *Canterbury.*

Sir *Orlando Bridgman* Knight and Baronet, Lord Keeper of the Great Seal.

John Lord *Roberts* Lord Privy Seal.

George Duke of *Buckingham*, Mr. of the Horse to His Majesty.

James Duke of *Monmouth.*

James Duke of *Ormond* Lord Great Steward of His Majesties Household.

Henry Marquis of *Dorchester.*

Henry Earl of *Ogle.*

Thomas Earl of *Ossory.*

Robert Earl of *Lindsey*, Lord Great Chamberlain of *England.*

Edward.

Edward Earl of *Manchester*, Lord Chamberlain of His Majesties Houshold.

Aubrey Earl of *Oxford*.

John Earl of *Bridgwater*.

Robert Earl of *Leceister*.

Henry Earl of *S. Albans*.

Edward Earl of *Sandwich*.

Arthur Earl of *Anglesey*.

John Earl of *Bath*, Groom of the Stole to His Majesty.

Charles Earl of *Carliste*.

William Earl of *Craven*.

John Earl of *Rothes*, His Majesties Commissioner in *Scotland*.

John Earl of *Lauderdale*, Secretary of State in *Scotland*.

John Earl of *Tweedale*.

John Earl of *Middleton*.

Richard Earl of *Carbury* Lord President of *Wales*.

Roger Earl of *Orrery*.

Humphrey Lord Bishop of *London*.

Henry Lord *Arlington*, one of His Majesties Principal Secretaries of State.

Francis Lord *Newport*, Comptroller of His Majesties Houshold.

John Lord *Berkley* Lieutenant of *Ireland*.

Denſel Lord *Holles*.

Anthony Lord *Aſhley*, Chancellor of the Exchequer.

Sir *Thomas Clifford* Knight, Treaſurer of His Majeſties Houſhold.

Sir *George Carteret* Knight, Vice-Chamberlain to His Majeſty.

Sir *John Trevor* Knight, one of His Majeſties Principal Secretaries of State.

Sir *Thomas Ingram* Knight, Chancellor of the Dutchy.

Sir *William Morice* Knight.

Sir *John Duncom* Knight.

Sir *Thomas Chicheley* Knight, Maſter of the Ordnance.

These are all to wait on his Majeſty; and at Council Board ſit in their Order, bare-headed when His Majeſty preſides.

At all Debates the loweſt delivers his opinion firſt, that ſo he may be the more free, and the King laſt of all declares his Judgment, and thereby determines the mater in Debate.

The Time and Place of holding this Council is wholly at the Kings pleaſure, but it is moſt commonly held in the mor-

ning

ning on *Wedneſday* and *Friday* out of Parliament time and Term time, and in the Afternoon, in time of Parliament and Term.

A Council is ſeldom or never held without the Preſence of one of the Secretaries of State, of whoſe Office and Dignity much more conſiderable in *England* than in other Nations, take here this brief Account.

The Kings of *England* had antiently but one Secretary of State, until about the end of *Henry* the Eight his Reign, it was thought fit, that weighty and important Office ſhould be diſcharged by two Perſons, both of equal authority, and both ſtiled *Printipal Secretaries of State* In thoſe days, and ſome while after, they ſate not at Council Board, but having prepared their buſineſs in a Room adjoyning to the Council-Chamber, they came in, and ſtood on either hand of the King; and nothing was debated at the Table, until the Secretaries had gone through with their Propoſals. But Queen *Elizabeth* ſeldom coming to Council, that Method was altered, and the two Secretaries took their places as Privy Counſellors; which Dignity they have retained and enjoyed ever ſince: and a Council is ſeldom or never held without the preſence of one of them at the leaſt.

Their employment being of extraordinary truſt and multiplicity, renders them moſt conſiderable both in the eyes of the

King, upon whom they attend every day as occaſion requires; and of the Subjects alſo, whoſe requeſts and deſires are for the moſt part lodged in their hands, to be preſented to the King, and always to make diſpatches thereupon, according to His Majeſties Anſwers and Directions.

As for Forraign Affairs, the Secretaries divide all the Kingdoms and Nations, which have intercourſe of buſineſs with the King of *England*, into two grand Provinces, whereof each Secretary taketh one to himſelf, receiving all Letters and Addreſſes from, and making all diſpatches to, the ſeveral Princes and States comprehended within his own Province.

But in all matters of home concern, whether they relate to the Publick, or to particular perſons, both the Secretaries do equally and indiſtinctly receive and diſpatch whatſoever is brought to them, be it for the Church, the Militia, or private Grants, Pardons, Diſpenſations, *&c.*

They have this ſpecial Honour, that if either of them be a Baron, he taketh place, and hath the precedence of all other perſons of the ſame degree, though otherwiſe by their Creation ſome of them might have right to precede him; and a Knight in like manner, if he hath no other qualification.

They have their ſeveral Lodgings appointed them in all the Kings Houſes, as well for their own Accommodation, as for their Office, and thoſe that attend upon

on

on it. They have alſo a very liberal Diet at the Kings charge, or Board-wages in lieu of it.

To ſhew how conſiderable their place is, their ſetled allowance from the King in Salary and Penſion is little leſs than Two thouſand pounds *Sterling per Annum*, to each of them.

The Secretaries and Clerks whom they imploy under them are wholly at their own choice, and have no dependance upon any other power or perſon beſides themſelves.

They have the Cuſtody of that Seal of the King, which is properly called the *Signet*; the uſe and application whereof, gives denomination to an Office conſtantly attending the Court called the *Signet Office*, wherein there are four Clerks, who wait alternately by Months, and prepare ſuch things as are to paſs the Signet in order to the Privy Seal or Great Seal.

The preſent Secretaries of State are,

Henry Lord *Arlington*, whom for his eminent Services at home and abroad, both in War and Peace, His Majeſty was pleaſed to advance into the place of Sir *Edward Nicholas*.

And Sir *John Trevor*, who for his great abilities and ſucceſsful Negotiations had that Truſt and Honour conferred upon him, when Sir *William Morice*, late Secretary of State, was by His Majeſties gracious conſent permitted to retire from buſineſs.

Waiting on the Privy Council there are Four Clarks in Ordinary, who wait by

Months.

Months each one, he that comes in, is always a week before and a week after his Month to assist there.

Their Office is to read what is brought before the Council and draw up all such Orders as the King and Lords shall direct, and cause them to be Registred.

They are these that follow.

Sir *Richard Brown*, Sir *Edward Walker*, Sir *John Nicolas*, Sir *Robert Southwel*; Salaries to each 250. *l.* besides Fees for Orders and Letters, *&c.*

Beside the forenamed Officers there is a Keeper of the Records, *John Woolly* Esq; no Fee.

Two Keepers of the Council Chamber; Fee to each 45 *l.*

Thirty Messengers, whereof Ten at a time by turns waite every Moneth, Fee to each 45 *l.*

These upon Occasion are sent by Warrant of the Lords of the Privy Council to fetch any Person, under the Degree of a Baron, and to keep him Prisoner in his House till farther order.

Attending on the Secretaries are the Clerks of the *Signet*, or *Little Seal*, which is always in the Custody of the Secretaries, for sealing the Kings Private Letters and for all such Grants as pass His Majesties hands by Bill assigned.

Of these Clerks there are four, Sir *John Nicholas* Knight of the Bath, Sir *Philip Warwick*,

Warwick Knight, *Trumbal* Esquire, and *Sidney Bear* Esquire. These have no Fee from the King, but onely Dyet, which at Pension is 200*l.* yearly. Their Office is in *Whitehall*, they waite by Month, each of them three Months in a year. One of them alwayes attends the Court wheresoever it removes, and by Warrant from the King, or Secretaries of State, or Lords of the Council, prepare such Bills or Letters for the King to sign, as not being matters of Law are by any Warrants directed to them to prepare. In their Office, all Grants either prepared by the Kings learned Council in the Law, or by themselves, for the Kings hand, when signed are returned and there transcribed again, and that transcription is carried to one of the Principal Secretaries of State, and Sealed, and then it is called a Signet, which is directed to the Lord Privy Seal, and is his Warrant for issuing out a Privy Seal upon it, which is prepared by the Clerks of that Seal, is sufficient for the payment of any Moneys out of the Exchequer and for several other uses: but when the nature of the Grant requires the passing the Great Seal, then the Privy Seal is an Authority to the Lord Keeper to pass the Great Seal, as the Signet was to the Lord Privy Seal to affix that Seal to the Grant, but in all three Offices, *viz.* Signet, Privy-Seal and Great-Seal, the Grant is transcribed. So all which passes from the King hath these several ways of being considered before perfected.

There

There are also four Clarks of the Privy Seal; *viz.* the Lord *Sandwich*, whose Interest for his life is in one Mr *Watkins*; Mr *Baron*, Master *Bickerstaff*, and Mr.

More of their Office is to be seen in *Stat.* 27. of *Henry* 8. worthy to be noted.

To this Office (in time when the Court of *Request* is in being) belongs the Sealing of all Commissions, and other proces out of that Court.

Moreover depending on the Secretaries of State, is an antient Office called the Paper-Office, the Keeper whereof hath in his Charge, all the publick Papers, Writings, Matters of State, and Counsel, all Letters, Intelligences, Negotiations of the Kings publick Ministers abroad, and generally all the Papers and dispatches that pass through the Offices of the two Secretaries of State, which are from time to time transmitted into this Office, and here remain, disposed by way of a Library within His Majesties Palace of *Whitehall*. This considerable Officer hath a Fee of 160 *l. per annum* payable out of the Exchequer, and is at present that very worthy person *Joseph Williamson*, Doctor of Laws.

After the Kings most Honorable Privy Council that *Primum mobile*, or rather that *Resort* or *Spring*, may be considered the *Great wheeles* first moved by that *Spring* which are the Convocation for the Ecclesiastical Government, and the Parliament for the Civil.

But

But for the better understanding of the Ecclesiastical Government, it will be expedient to premise somewhat of the Ecclesiastical persons in *England*.

IN the Government of the Church of *England*, among the Ecclesiastical persons governing in the *English* Church, is, First the King of *England*, who is as the Lawyers say, *Persona sacra & mixta cum sacerdote*. The King is the supreme Bishop of *England*: and at his *Coronation*, by a solemn Consecration, and Unction he becomes a Spiritual Person, Sacred and Ecclesiastical, for, as he hath put upon him *Corona Regni*, as an Embleme of his King-ship, and power in Temporals; so hath he *Stola Sacerdotis*, commonly called *Vestis Dalmatica*, as a *Levitical Ephod*, to signify his Priesthood and power in Spirituals. He is Supreme Governor in all Causes *Ecclesiastical*, as well as Civil, is Patron Paramount of all *Ecclesiastical* Benefices in *England*, to whom the last Appeal in *Ecclesiastical* Affaires are made, who alone hath power to nominate persons for all Bishopricks and chief Dignities, as Deaneries, and some Prebends in the Church, *&c*, as more at large may be seen in the First part of the *Present State of England*.

Next to the King in the Church Government are the Bishops, whereof two are called *Primats*, *Metropolitans* or Archbishops, that is chief Bishops, the one of

of *Canterbury*, the other of *York*, each of which have besides their Peculiar Dioceses a Province consisting of several Dioceses, and therein by Common Law, a Prerogative of proving Wills and granting Administrations where the person dying had *bona notabilia*, that is above 5 *l.* in Divers *Dioceses* or *Jurisdictions*. Also by Grants of several Kings, they have each one certain Priviledges, Liberties and immunities in their own Estates.

Under these two Archbishops are 26 Bishopricks, whereof 22 are reckoned in the Province of *Canterbury*, and four in the Province of *York*. So that there are besides the two Archbishops twenty four Bishops, all which have the Title of Lords by reason of their *Baronies* annext to their Bishopricks, and have precedence of all other *Barons* both in Parliament, and other Assemblies: amongst these precedes always the Bishop of *London*, who by antient right is accounted *Dean* of the *Episcopal Colledg* of that Province, and by vertue thereof is to signify the Pleasure of his Metropolitan to all the Bishops of the Province, to execute his *Mandates*, to disperse his *Missives* on all emergency of affaires to precide in Convocations or Provincial *Synods* during the necessary absence of the *Metropolitan*. Next to *London* in Parliament, precedes *Durham*, and then *Winchester*: all the rest of the Bishops take place according to the Seniority of their Consecrations.

The

The Function of an *English Bishop* consists in what he may act, either by his *Episcopal Order*, or by his *Episcopal Jurisdiction.*

By his *Episcopal Order* he may ordain *Deacons* and *Priests*, he may Dedicate Churches and burying places, may administer the Rite and Ceremony of Confirmation, without whom none of these things may be done.

The *Jurisdiction* of a Bishop is either *Ordinary* or *Delegated*; the *Ordinary*, is what by the Law of the Land belongs to each Bishop, in his own Dioceſs; the *Delegated*, is what the King is pleaſed to confer upon him, not as a Bishop, but as he is a Subject, and a conſiderable Member of the Kingdom: For all Clergymen are in *England* (as antiently among Gods own People the *Jews*, and amongſt the *Primitive* Chriſtians, ſo ſoon as they were under Chriſtian Emperors) judged fit to enjoy divers temporal honours and employments: as,

Firſt, to be in the Commiſſion of the Peace, for who ſo proper to make and keep Peace as they, whoſe conſtant duty it is to preach Peace, who ſo fit as they, whoſe main buſineſs and ſtudy it is to reconcile thoſe that are at variance; and therefore ſince His Majeſties happy Reſtauration, as well as before, divers grave diſcreet Divines have been made Juſtices of Peace, and thereby not only the poor Clergy-men

have

have been protected from the oppression of their causeless enemies, but many differences have been composed without any Law-sute, in a more Christian and less expensive way.

Secondly to be of His Majesties Privy Council, where frequently Cases of Conscience may arise, relating to State matters, that will admit neither of delay nor publication, and therefore after the pattern of that excellent Christian Emperor *Constantine* the Great; our good Kings both before and since the Reformation have always admitted some spiritual persons to their Council Tables and Closet-debates.

Thirdly, to be employed in publick Treaties and Negotiations of Peace, and this both the Ancient and Modern practice will justify, that none hath been more frequently and successfully used in such Messages, then the Ambassadors of Christ.

Fourthly, to enjoy some of the great Offices of the Crown, as to be *Lord Chancellor, Lord Treasurer*, &c. And it hath been observed that in the late Kings Raign, when the Bishop of *London* was *Lord Treasurer*, that Office was executed with as much diligence, faithfulness, dexterity, and content to the Subject, as well as to the King, as ever it had been by any of his late lay-Predecessors.

In the ordinary Jurisdiction of a Bishop, as a Bishop may be considered either the *Jurisdiction* it self, or what is instated in him,

him by the Law of the Land, for the better execution of that *Jurisdiction*.

The *Jurisdiction* it self is established partly by Statute Law, as to Licence Physitians, Surgeons and School-Masters to unite and consolidiate small Parishes, to assist the Civil Magistrates in the execution of some Statutes concerning Ecclesiastical affairs, to compel the payment of Tenths and Subsidies due from the Clergy to the King.

Partly by Common Law, as upon the Kings Writ, to certify the Judges touching legitimate and illegetimate Births and Marriages, to require upon the Kings Writ, the burning of an obstinate Heretick, also to require the Kings Writ for imprisoning the Body of one that obstinately stands excommunicated 40 dayes.

And partly by Common and Ecclesiastical Law together, as to cause Wills of the Deceased to be proved, to grant Administration of Goods of such as dye intestate, to give order for the gathering and preserving of perishable Goods, where none is willing to administer, to cause Account to be given of Administrations, to collate Benefices, to grant Institutions to Benefices upon the Presentations of other Patrons, to command Induction to be given, to order the collecting and preserving of the Profits of vacant Benefices for the use of the Successors, to defend the Franchises and Liberties of the Church, to visit their particular Dioceses once in three years.

years, and therein to inquire of the Manners, Carriages, Delinquencies, *&c.* of Ministers; of Church-wardens, of the rest of the Parishoners, and amongst them, especially of those that profess themselves Physitians, Surgeons, School-masters, Midwives; of Wardens of Hospitals, how they perform their several Duties and trusts; also of all others professing Christianity, and offending either against Piety, as by Blasphemy, Idolatry, Superstition, Perjury, Heresie, Errors against the 39 Articles, Schism, Conventicles, absence from Divine Service, unlawful abstinence from the Sacraments, or else offending against Justice, as the delaying of Legacies given to the poor or pious uses, Dilapidations of Buildings or Goods belonging to the Church; taking of Usury beyond the rate allowed by Statute, Simony, Perjury, *&c.* or by offending against Sobriety, as Drunkenness, Incest, Adultery, Fornication, filthy Speech, tempting of any ones Chastity, Clandestine Marriages, as for want of thrice publishing the Banes, the want of Parents consent, the want of witnesses, which must be above two, or marrying in a private place, in an undue time, before Eight in the morning, and after Twelve of the Clock in the day, *&c.*

Now, for the better executing of this *Jurisdiction*, the Law of *England* hath furnished the Bishops with a power of *Ecclesiastical Censures*, whereof some may be inflicted both upon Lay-men and Church-

Church-men, as Suſpenſion from entring into the Church, or elſe from receiving the Sacrament, or greater Excommunications, *&c.* Others may be inflicted only upon *Eccleſiaſtical* Perſons, as Sequeſtration of their Eccleſiaſtical Profits, Suſpenſion, ſometimes *ab Officio*, ſometimes *à Beneficio*, *Deprivation* and *Depoſition*, which is ſometimes verbal, by ſentence pronounced againſt them; and ſometimes real by Degradation. Here note that of all theſe Cenſures, Excommunication is never inflicted but only for Contumacy, as when a perſon being duly ſummoned will not appear, or appearing, will not obey the Orders of the Biſhop.

The ſolemn manner of making a Biſhop in *England* is as followeth,

When any Biſhops See becomes vacant, the *Dean* and *Chapter* of that *Cathedral* giving notice thereof to the King, who is Patron of all the Biſhopricks in *England*; and humbly requeſting that His Majeſty will give leave for them to choſe another; the King hereupon grants to the *Dean*, his *Congè d' Eſlire*, which in French (wherein it was antiently penned) ſignifies leave to elect, then the Dean ſummons a Chapter or aſſembly of the Prebendaries, who either elect, the perſon recommended by His Majeſties Letters, or ſhew cauſe to the contrary. Next the Election is certified to the party Elected, who doth modeſtly refuſe it the firſt and ſecond time, and if he refuſe

it

it a third time, then that being certifyed to His Majeſty, another is recommended; when the Election is accepted by the party, it is certifyed to the King and the Archbiſhop of that Province, whereupon the King gives his Royal Aſſent under the Great Seal of *England*; which is exhibited to the Archbiſhop of the Province, with command to confirm and conſecrate him, hereto the Archbiſhop ſubſcribes *Fiat Confirmatio*, and gives Commiſſion under his Archiepiſcopal Seal to his Vicar-General, to perform all the Acts required for perfecting his Confirmation.

The Vicar-General then in the name of the Archbiſhop ſends forth a Citation, ſummoning all Oppoſers of the ſaid Election or Perſon Elected, to appear at a certain time and place eſpecially aſſigned to make their objections. This is done by an Officer of the Arches uſually at *Bow Church* in *Cheapſid London* by Proclamation three times, and then affixing the ſaid Citation on the Church door for all people to read, the ſaid Officer returns an Authentick Certificate thereof to the Archbiſhop and Vicar-General. At the day and place aſſigned for the appearance of the Oppoſers the Vicar General ſits, then the Proctor for the ſaid Dean and Chapter, exhibits the Royal aſſent and the Commiſſion of the Archbiſhop; which read and accepted by the Vicar-General, the Proctor exhibits the Proxy from the Dean and Chapter, and then preſents the Elected Biſhop, and

and returns the Citation, and desires the Opposers to be publickly called three times, which being done accordingly, he accuseth their contumacy, and for penalty thereof, desires that the busines may proceed, which the Vicar-General in a Schedule by him read and subscribed doth order. Next the Proctor giving a summary Petition, wherein is deduced the whole Process of Election and Consent, desires a time to be assigned to prove it, which the Vicar-General admits and decrees: After which the Proctor exhibits the Royal Assent, with the Elected Bishops Assent, and the Certificate to the Archbishop, and desires a term presently to be assigned to hear final sentence, which the Vicar-General decrees. Then the Proctor desires that all Opposers should be again called, which being thrice publickly done, and none appearing, nor opposing, they are pronounced contumacious, and a Decree made to proceed to Sentence, by a Schedule read and subscribed by the said Vicar-General. Then the Elect person takes the Oath of Supremacy, Simony, and Canonical Obedience.

Next the Judge of the Arches reads and subscribes the Sentence, after which usually there is an entertainment made for the Officers and others there present, which being once done at the Sign of the Nags Head in *Cheapside* near the said *Bow Church*, gave occasion to our adversaries of the Romish Church, to affirm that Fable

ble, that there our first Bishops after the Reformation were consecrated.

When a Bishop is Elected, and the Election confirmed, he may give Institution, and do his ordinary Jurisdiction, and may sit in Parliament as a Lord thereof, according to *Sir Ed. Coke 4. Institut p.* 47.

After the Confirmation, then according to the Kings Mandate is the solemn Consecration of the Elected Bishop, which is done by the Archbishop with the assistance of two other Bishops in manner following.

Upon some Sunday or Holy-day after Morning Service, the Archbishop beginneth the Communion Service, after a certain Prayer appointed for this occasion, one of the Bishops there present readeth the Epistle, 1 *Tim.* 3, another readeth the Gospel, *John* 21. then after the Nicene Creed and some Sermon, the Elected Bishop vested with his Rochet or Linnen Garment, is by two Bishops presented to the Archbishop, or some other Bishop commissioned by him, sitting in his Chair, who demands the Kings Mandate for the Consecration, and causes it to be read; then the Elect Bishop takes the Oath of Supremacy and of Canonical Obedience to the Archbishop; and after divers prayers and several Interrogatories put to the Bishop, and his Answers, the rest of the Episcopal Habit is put upon him, and after more prayers the Elect Bishop kneeleth down, and the Archbishop and Bishops there

there preſent lay their hands on his head, and by a certain pious grave form of words, they conſecrate him. Afterward the Archbiſhop doth deliver to the Biſhop Elect a Bible with an other ſet form of words, and ſo all proceed to the Communion Service, and having received the Sacrament, and the Bleſſing, they retire from Church to dinner, which is at the charge of the Biſhop Elect, and is uſually very ſplendid and magnificent, the greateſt of the Nobility, Clergy, Judges, Privy-Counſellors, &c. honouring it with their preſence, the expences hereof with Fees of Conſecration commonly amounting to Six or Seven hundred pounds.

This form and manner of conſecrating Biſhops is accordingly to the rule laid down in the Fourth Council of *Carthage*, about the year 470, generally received in all the Provinces of the Weſtern Church.

Note that by our Order of Conſecrating Biſhops, it is evident that Biſhops are lookt upon as a diſtinct Order of themſelves, and not only as a different degree from the reſt of the Presbyters, as ſome would have it.

Next goes forth a Mandate from the Archbiſhop to the Archdeacon of his Province, to inſtal the Biſhop Elected, confirmed and conſecrated.

Then the ſaid Biſhop is introduced into the Kings preſence, to do his Homage for his Temporalties or Barony, by kneeling down and putting his hands between the

hands of the King sitting in a Chair of State, and by taking of a solemn Oath to be true and faithful to His Majesty, and that he holds his Temporalties of him.

Lastly, the new Bishop compounds for the first Fruits of his Bishoprick, that is, agrees for his first years profits to be paid to the King, within two years or more if the King please.

The Translation of a Bishop from one Bishoprick to another differs onely in this, from the manner of making a Bishop, that there is no Consecration.

The Translation of a Bishop to be Archbishop differs only in the Commission which is directed by His Majesty to four or more Bishops to confirm him. Note that the difference between an Archbishop and a Bishop, is that the Archbishop with other Bishops doth consecrate a Bishop, as a Bishop with other Priests doth ordain a Priest: The Archbishop visits the whole Province, the Bishop only his Dioces; The Archbishop can convocate a Provincial Synod, the Bishop only a Diocesan Synod; The Archbishop is Ordinary to; and hath Canonical Authority over all the Bishops of his Province, as the Bishop hath over all the Priests of his Dioces.

Several Bishops of *England* having Dioceses of a large extent, it was provided by *Stat.* 26 *Henry* 8. that they should have a power to nominate some to the King to be with his approbation Suffragan or Subsidiary Bishops, whereof see more in the first

firſt Part of the *Preſent State of England*. Of theſe there are none at preſent in the Church of *England*, but the next to the Biſhops are now the Deans of Cathedral Churches.

Dean & Chapter.

Antiently Biſhops did not ordinarily tranſact matters of moment *ſine conſilio Presbyterorum principalium*, who were then called *Senatores Eccleſiæ*, and Collegues of the Biſhops, repreſented in ſome ſort by our Cathedrals, whereof the Dean and ſome of the Prebends are upon the Biſhops ſummons to aſſiſt him in Ordinations, in Deprivations *ab Officio & Beneficio*, in condemnation of obſtinate Hereticks, in the greater Excommunications, and in ſuch like weighty affairs of the Church. Upon the Kings Writ of *Congè d' Eſlire* (as before mentioned) the Dean and Prebendaries are to elect the Biſhop of that Dioceſs. Cathedral and Collegiate Churches are as it were Seminaries or Seed-plots, whereout from time to time may be choſen fit perſons to govern the Church, for having left the Country, and living here in a Society together, they learn experience, they read men, they by little and little put off the familiarity of the inferiour Countrey Clergy, and thereby render themſelves the more fit to be ſet over them in Government. The Dean and Prebendaries, during their required reſidence in their Cathedral or Collegiate Churches are to keep Hoſpitallity, upon all Feſtivals to read Divinity in their turns,

which is now turned to Sermons, or set ſpeeches in the Pulpit; at due time to adminiſter the Lords Supper; to frequent the Publick Divine Service, to inſtruct the Country Clergy, and direct them how and what to preach, whereby they may beſt profit their Auditors: In a word, as they excel others in dignity, and are therefore ſtiled Prelats, ſo by their more eminent piety and charity, they are to be examples and paterns to the inferiour Clergy.

In every Cathedral or Biſhops See there is a Dean and divers Prebendaries or Canons, whoſe number is uncertain.

Deans of the old Foundations, founded before the ſuppreſſion of Monaſteris, are brought to their Dignities much like Biſhops, the King firſt ſending forth his *Congè d' eſlire* to the Chapter, they electing, and the King granting his Royal aſſent; the Biſhop confirms him, and gives his Mandate to inſtall him.

Deans of the new Foundations (upon ſuppreſſion of Abbyes or Prinries tranſformed by *Henry* 8. in to Dean and Chapter) are by a ſhorter courſe inſtalled by virtue of the Kings Letters Patents, without either Election or Confirmation.

Among the Canons or Prebendaries in the old Foundations, ſome are *Canonici actu*, having *Prebendam ſedile in Choro & jus ſuffragii in Capitulo*; others are *Canonici in herbis* (as they are called) having right to the next Prebend that ſhall become void and having already a Stall in the Quire

Quire, but no Vote in the Chapter.

A Prebend is properly the portion which every Prebendary of a Cathedral or Collegiate Church receiveth in the right of his place for his maintenance *quaſi pars vel portio prebenda*.

Next in the Government of the *Engliſh* Church may be reckoned Archdeacons, whereof there are 60 in all *England*; Their Office is to viſit two years in three, and to enquire of Reparations and Moveables belonging to Churches, to reform abuſes in Eccleſiaſtical matters, and to bring the more weighty affairs before the Biſhop of the Dioceſs; and therefore he is called *Alter Epiſcopi Oculus* (the other being the Dean, as is mentioned in the firſt part of the *Preſent State*.) Moreover the Office of an Archdeacon is upon the Biſhops Mandate to induct Clerks into their Benefices, and thereby to give them poſſeſſion of all the Profits beloging thereto.

Many Archdeacons have by Preſcription, their Courts and Officials as Biſhops have, whereof more hereafter.

After Archdeacons are the *Archipresbyteri* or Rural Deans, ſo called perhaps at firſt for his overſight of ſome Ten Pariſh Prieſts; their Office is now upon orders to convocate the Clergy, to ſignifie to them ſometimes by Letters the Biſhops pleaſure, and to give induction for the Archdeacon living afar off.

Next are to be conſidered the Prieſts of every particular Pariſh, who are common-

ly called the Rectors, unless the predial Tythes are impropriated, and then they are stiled Vicars, *quasi vice fungentes Rectorum*. Their Office is to take care of all their Parishioners Souls, and like good Shepherds, to handle every particular Sheep apart; to Catechise the ignorant, reduce the straying, confirm the wavering, convince the obstinate, reprehend the wicked, confute Schismaticks, reconcile differences amongst Neighbours, to exercise the power of binding and loosing of souls as occasion shall offer, to read duly Divine Service, to Administer the holy Sacraments, to visit the Sick, to Marry, to Bury, to render publick thanks after Childbearing, to keep a Register of all Marriages, Christnings and Burials that shall happen within the Parish, to read the Divine Sermons or Homilies appointed by Authority (and if the Bishop think fit) to read or speak by heart their own conceptions in the Pulpit.

Lastly Deacons, whose Office is to take care of the Poor, Baptise, Read in the Church, assist the Priest at the Lords Supper by giving the Cup only.

After this brief account of Ecclesiastical persons, somewhat may here not unfitly be added touching those persons who though not in holy Orders, yet have a peculiar Relation to the Church, and are *quasi semi Ecclesiastici*, as first Patrons of Churches, who by first building of Churches, or first endowing them with Lands, have

obtained

obtained for them and their Heirs a right of Advowſon or Patronage, whoſe office and duty is to preſent a fit Clerk (when the Church is void) to the Biſhop to be by him Canonically inſtituted, and to protect the ſaid Church as far as he can from all wrong, and in caſe his Clerk prove unfit for the place, to give notice thereof to the Biſhop.

Next are the *Oeconomi vel Eccleſiæ Guardiani*, the Church wardens, whoſe Office is to ſee that the Church be in good repair, fitly adorned, and nothing wanting for Divine Service, Sacrament, and Sermons; that the Church yard be ſufficiently mounded or incloſed, that there be an exact Terrier of the Glebe Lands, and if any thing belonging to the Church be detained, to ſue for the ſame; to obſerve that all Pariſhoners come duly to Divine Service, to require the penalty for abſence, to enquire after, to admoniſh and to preſent to the Biſhop ſcandalous livers, to collect the Charity of the Pariſhoners for poor Strangers, to declare and to execute the orders of the Biſhop, to ſee that none preſume to vent his own conceptions in the Pulpit, unleſs he hath a ſpecial licence ſo to do. The Churchwardens are elected every Eaſter Week, uſually by the Parſon and Pariſhoners if they ſo agree; if not, then one by the Parſon, and the other by the Pariſhioners.

There are alſo in greater Pariſhes joyned with the Church-wardens *Teſtes Synodales*,

anciently called Synods-men, now corruptly called Sides-men, who are to assist the Church-wardens, in enquiries into the lives of inordinate livers, and in presenting men at Visitations.

Lastly the Sacristan, corruptly the Sexton or Clark, who is ordinarily to be chosen by the Parson only: he ought to be twenty years old or above, of good life, that can read, write, and sing: his office is to serve at Church the Priest and Church-wardens.

In the Church of *England* there are, as in the antient primitive times, three Orders, Bishops, Priests, and Deacons. None may be admitted Deacon before the age of 23 years, unless he hath a Dispensation to be admitted younger: None may be made a Priest till he be completely 24 years old. None may be admitted Bishop till full 30 years old.

The Ordination of Priests and Deacons is four times the year, upon four several Sundayes in the Ember or Fasting Weeks, that so all the Nation may at once in their joynt Prayers to God, recommend them that are to receive Ordination, which is performed by a Bishop, in a solemn grave devout manner thus for Deacons. After Morning Prayer there is a Sermon, declaring the Duty and Office of Deacons and Priests; then they being decently habited, are presented to the Bishop by the Archdeacon or his Deputy, whom the Bishop askes if he hath made due inquiry

of

of them, and then askes the people if they know any notable impediment or crime in any one of them; after follow certain godly Prayers, then a Collect, Epistle and Gospel: but before the Gospel the Oath of Supremacy is administred to every one of them, and the Bishop putteth divers godly questions to them, which being answered they all kneel, and he laying his hands upon them severally doth ordain them Deacons; then delivers to every one of them the New Testament, and gives them authority to read the same in the Church; then one of them appointed by the Bishop reads the Gospel, and then all with the Bishop proceed to the Communion, and so are dismissed with the Blessing pronounced by the Bishop.

The Ordination of Priests is partly in the same manner, only the Epistle and Gospel are different; and after the questions and answers made, the Bishop puts up a particular prayer for them, and that ended, he desires the Congregation to recommend them to God secretly in their prayers, for doing of which there is a competent time of general silence, then follows *Vent Creator Spiritus* in Meter to be sung, then after another prayer, they all kneeling, the Bishop, with the Priests present, layeth his hands upon the head of every one severally, and gives them Ordination in a grave set form of words, different both from that of Bishops and that of Deacons, the rest as in the ordaining of Deacons.

Of the Ecclesiastical Government of England, *and first of the Convocation.*

FOr the Church legislative power, or the making of Ecclesiastical Laws, and consulting of the more weighty affairs of the Church, the King by the advise of his Privy Council, usually convokes a National Synod commonly called the Convocation, which is summoned in manner following.

The King directeth his Writ to the Archbishops of each Province, for summoning all Bishops, Deans, Arch-deacons, Cathedrals, and Collegiate Churches, according to their best discretion and judgment, assigning them the time and place in the said Writ; whereupon the Archbishop of *Canterbury* directs his Letters to the Bishop of *London*, as his Dean Provincial, first citing himself peremptorily, and then willing him to cite in like manner all the Bishops, Deans, Archdeacons, Cathedral and Collegiate Churches, and all the Clergy of his Province to that place, and at the day prefixt in the Writ; but directeth withal that one Proctor sent for each Cathedral and Collegiate Churche, and two for the body of the inferiour Clergy of each Diocess may suffice. The Bishop of *London* accordingly directs his letters to the

the Biſhops of every Dioceſs of the Province, citing them in like manner to appear, and to admoniſh the Deans and Archdeacons to appear perſonally, and the Cathedrals, Collegiate Churches and inferiour Clergy of the Dioceſs, to ſend their Proctors to the place; and at the day appointed; alſo to certifie to the Archbiſhop the names of all ſo ſummoned by them.

The place where the Convocation of Clergy in the Province of *Canterbury* hath uſually been held, was St. *Pauls* Church in *London*, but of later times at St. *Peters* in *Weſtminſter* in the Chappel of *Henry* the Seventh; where there is (as in Parliament) a Higher and a Lower Houſe, or a Houſe of Lords Spiritual, and a Houſe of Commons Spiritual.

The Higher Houſe of Convocation in the Province of *Canterbury* conſiſts of 22 Biſhops, whereof the Archbiſhop is Preſident, ſitting in a Chair at the upper end of a great Table, and the Biſhops on each ſide of the ſame Table all in their Scarlet Robes.

The Lower Houſe conſiſts of all the Deans, Archdeacons, one Proctor for every Chapter, and two Proctors for all the Clergy of each Dioceſs, in all 166 perſons, *viz.* 22 Deans, 24 Prebendaries, 54 Archdeacons, and 44 Clerks repreſenting the Dioceſan Clergy.

The firſt day both houſes being aſſembled the Higher chooſeth a Biſhop for their Prolocutor,

and the Lower being require d by the Highe House to chooſe them a Prolocutor, or Speaker; which done they preſent him to the Upper Houſe by two of their Members, whereof one makes a Speech in Latin; and then the Elect perſon makes another Speech in Latin. Laſtly, the Archbiſhop anſwers in Latin, and in the name of all the Lords approves of the perſon.

Both Houſes debate and tranſact only ſuch matters as His Majeſty by Commiſſion expreſly alloweth.

In the Upper Houſe things are firſt propoſed, and then communicated to the Lower Houſe.

The Major vote in each Houſe prevailes.

Out of Parliament time they uſually aſſemble every day about Nine of the clock, and firſt the Junior Biſhop ſayes prayers in Latin, beginning with the Letany, and then for the King, *&c.* And in the Lower Houſe the Prolocutor ſays prayers.

In Convocation are debated only matters concerning Religion and the Church, and ſometime of giving His Majeſty aſſiſtance in Money; for as the Laity cannot be taxed without their own conſent, ſignified by their Repreſentative in Parliament, ſo the Clergy cannot be taxed without their conſent, ſignified by their Repreſentative in Convocation.

The Clergy in Convocation might antiently without asking the Royal Aſſent, and now may with the Royal Aſſent make Ca-

Canons touching matters of Religion, to bind not only themſelves, but all the Laity with-out conſent or ratification of the Lords and Commons in Parliament.

Till the late Rebellion the Parliament did not at all meddle in the making Canons, or in matters Doctrinal, or in Tranſlation of Scriptures, only by their civil Sanctions (when they were thereto required) did confirm the Reſults and Conſultations of the Clergy, that ſo the people might be the more eaſily induced to obey the Ordinances of their Spiritual Governors.

The Clergy of *England* had antiently their Repreſentatives in the Lower Houſe of Parliament, as appears by that antient Record ſo highly prized by the late Lord *Coke*; and as the Upper Houſe had and ſtill hath Lords Spiritual as well as Temporal; ſo in the Lower Houſe there were always Commons Spiritual as well as Temporal; for that Record ſaith expreſly, that the Commons in Parliament conſiſt of three degrees or kinds; Firſt, *ex Procuratoribus Cleri*; Secondly, *ex Militibus Comitatuum*; Thirdly, *ex Burgenſibus*: and the words of the Writ directed now to the *Procuratores Cleri*, ſeem to give them the very ſame right to ſit in that Houſe, as the words of the Writ to the Knights, Citizens and Burgeſſes do give to them.

All the Members of both Houſes of Convocation have the ſame priviledges for them-

themselves and menial Servants, as the Members of Parliament have, and that by Statute.

The Archbishop of *York* at the same time holds at *York* a Convocation of all his Province in like manner, and by constant correspondence doth debate and conclude of the same matters as are debated and concluded by the Provincial Synod of *Canterbury*.

Now for the Executive power in Church matters throughout the Kingdom of *England*, there have been provided divers excellent Courts, whereof the highest for criminal Causes was the High Commission Court, for the jurisdiction whereof it was enacted *primo Elizabethæ*, that Her Majesty and Successors should have power by Letters Patents under the Great Seal, to nominate Commissioners to exercise jurisdiction throughout the whole Realm; to visit, reform, and correct all Errors, Heresies, Schisms, Abuses, and Delinquencies, that may by any Ecclesiastical power be corrected or reformed.

This Court consisted of the highest persons of *England* in the Church and State, and was the principal Bulwark and Preservative of the Church of *England* against the practices and assaults of all her Adversaries, whether Romanist, Puritan, or Atheist, yet for some pretended abuses, the use thereof was taken away in the late seditious long Parliament; whereupon followed a deluge of Errors in Religion, Apostacy, Atheisms,

Atheiſm, Blaſphemy, Sacriledge, Inceſt, Adultery, impious Libels, Schiſms, Conventicles, *&c.* all which ſo overwhelmed the manners of Engliſh men, and occaſioned at length ſo many profeſt Atheiſts, that until the re-eſtabliſhment of this or the like Court, there cannot a Reformation be reaſonably hoped for.

For civil affairs that concern the Church, the higheſt Court is the Court of Delegates for the juriſdiction whereof it was provided 25 *H.* 8. that it ſhall be lawful for any ſubject of *England*, in caſe of defect of juſtice in the Courts of the Archbiſhop of *Canterbury*, to appeal to the Kings Majeſty in his Court of *Chancery*, and that upon ſuch appeal, a Commiſſion under the Great Seal ſhall be directed to certain perſons particularly deſigned for that buſineſs; ſo that from the higheſt Court of the Archbiſhop of *Canterbury*, there lies an Appeal to this Court of Delegates, and beyond this to none other.

Next to the Court of Delegates are the Courts of the Archbiſhop of *Canterbury*, where any Eccleſiaſtical Sutes between any perſons may (waving all inferior Courts) be decided; amongſt them the higheſt Court is the Court of Arches, ſo called from the Arched Church and Tower of *S. Maries* in *Cheapſide*, *London*, where this Court is wont to be held, the Judge whereof is called Dean of the Arches, having juriſdiction over a Deanery, conſiſting of 13 Pariſhes within *London*, exempt from the juriſdicti-

on

on of the Bishop of *London*. Hither are directed all Appeals in Ecclesiastical matters within the Province of *Canterbury*. To this Court belongs divers Advocates, all Doctors of the Civil Law, two Registers, and ten Proctors: the Dean at present is Doctor *Sweat*.

In the next place the Archbishop of *Canterbury* hath his Court of Audience kept within the Archbishops Palace, and medleth not with any difference between parties, but concerning Elections and consecration of Bishops, Admission and Institution to Benefices, dispensing with Banes of Matrimony, *&c.*

The next Court is called the Prerogative Court, which judgeth of Estates fallen by Will, or by Intestates, so called, because the Archbishops *jure Prærogativæ suæ* hath this power throughout his whole Province where the party at the time of death had 5 *l.* or above in several Dioceses; and these two Courts hath also the Archbishop of *York*.

Lastly, the Court of Peculiars, which dealeth in certain Parishes, lying in several Dioceses, which Parishes are exempt from the jurisdiction of the Bishops of those Dioceses, and are peculiarly belonging to the Archbishop of *Canterbury*, in whose Province there are 57 such Peculiars.

Besides these Courts serving for the whole Province, every Bishop hath his Court held in the Cathedral of his Diocese, over which he hath a Chancellor, tearmed anti-

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ently *Eccleſiecdicus & Epiſcopi Ecdicus*, the Church Lawyer or the Biſhops Lawyer, who being skill'd in the Civil and Canon Law, ſits there as Judge; and if his Dioceſs be large, he hath in ſome more remote place a Commiſſary, whoſe authority is only in ſome certain place of the Dioceſs, and ſome certain Cauſes limited to him by the Biſhop in his Commiſſion; and theſe are called Conſiſtory Courts.

Moreover, every Archdeacon hath his Court and Juriſdiction, where ſmaller differences ariſing within his limits are pleaded. Alſo the Dean and Chapter hath a Court, and take cognizance of Cauſes happening in places belonging to the Cathedral.

Laſtly, there are certain peculiar Juriſdictions belonging to ſome certain Pariſhes, the Inhabitants whereof are exempt ſometimes from the Archdeacons Juriſdiction, and ſometimes from the Biſhops Juriſdiction.

Cauſes belonging to Eccleſiaſtical Courts, are Blaſphemy, Apoſtaſie from Chriſtianity, Hereſies, Schiſms, Ordinations, Inſtitutions of Clerks to Benefices, Celebration of Divine Service, Rights of Matrimony, Divorces, general Baſtardy, Tythes, Oblations, Obventions, Mortuaries, Dilapidations, Reparation of Churches, Probate of Wills, Adminiſtrations, Simony, Inceſts, Fornications, Adulteries, Solicitations of Chaſtity, Penſions, Procurations, Commutation of Pennance, &c.

&c. the cognizance whereof belongs not to the Common Law of *England*.

The Laws and Constitutions whereby the Ecclesiastical Government doth stand, and the Church of *England* is governed, are first general Canons made by general Councels; also the *Arbitria sanctorum Patrum*, the opinion of Fathers, the grave Decrees of several Holy Bishops of *Rome*, which the Kings of *England* from time to time have admitted.

Next our own Constitutions made antiently in several Provincial Synods, either by the Legats *Otho* and *Othobon*, sent from *Rome*; or by several Archbishops of *Canterbury*; all which are by 25 *H.* 8. of force in *England*, so far as they are not repugnant to the Laws and Customs of *England*, or the Kings Prerogative. Then the Canons made in Convocations of later times, as *primo Jacobi*, and confirmed by his Royal Authority. Also some Statutes enacted by Parliament touching Ecclesiastical affairs: And lastly, divers Customs not written, but yet in use beyond the memory of man: and where these fail, the Civil Law takes place.

The manner of Tryals by these Laws and Customs are different from the Tryals at Common Law, and are briefly thus. First goes forth a Citation, then Bill and Answer, then by Proofs, Witnesses, and Presumptions the matter is argued *pro* and *con*, and the Canon and Civil Laws quoted, then without any Jury, the definitive sen-

ſentence of the Judge paſſeth, and upon that Execution. And this is the manner of trying Eccleſiaſtical Civil Cauſes; but Eccleſiaſtical criminal Cauſes are tryed by way of Accuſation, Denunciation, or Inquiſition. The firſt, when ſome one takes upon him to prove the crime: the ſecond, when the Churchwardens preſent and are not bound to prove, becauſe it is preſumed they do it without any malice, and that the crime is notorious. Laſtly, by Inquiſition, when by reaſon of common fame, inquiry is made by the Biſhop, *ex officio ſuo*, by calling ſome of the neighborhood to their Oaths, or the party accuſed to his Oath *ex officio*, ſo called, becauſe the Eccleſiaſtical Judge doth it *ex officio ſuo*, which is very antient, and was uſual among the Jews; ſo *Joſhua* to *Acan*, *Fili mi tribue gloriam, &c.* So God himſelf to *Adam* upon his firſt tranſgreſſion; and likewiſe afterward to *Sodom*; but by the prevailing faction in the long Parliament, this power was extorted from the Church, the want whereof is one main cauſe of the great libertiniſme and debauchery of the Nation.

Now the puniſhments inflicted by theſe Spiritual or Eccleſiaſtical Courts, according to theſe Spiritual or Eccleſiaſtical Laws, proceed in this manner. Firſt the party delinquent is admoniſh'd; next goes forth *minor Excommunicatio*, whereby he is excommunicated or excluded from the Church; or if not from the Church, yet from

from the Communion of the Lords Supper, is disenabled to be Plaintiff in a Law-Sute, *&c.* And this commonly for stubbornes shewed by not appearing in the Ecclesiastical Court upon summons, or not obeying the Orders of the Court which though in smallest matters, yet may be a very great crime; for *Res præcepta quo facilior est observatu eo præcepti violatio est gravior cum sit magis spontanea*, as *S. Austin* observes of the first sin of *Adam*. Any command by how much the easier it may be observed, by so much the more grievous is the breach thereof, because it is the more voluntary: besides in contempts it is not so much the violation of the Law as of the Authority, which ought to be resented. And herein the Church of *England* proceedeth no otherwise than the State of *England*; for so odious in the eye of the common Law of *Enland*, is the contempt thereof, that not only for Felonies, but even in an Action of the case, in an Action of a small Debt, Account or Detinue, if a man will not appear and submit himself to a Tryal at Law, a Proceess of Outlawry is grounded against him, and he being once Outlawed, he is out of the protection of the Law. *Caput gerit lupinum*, saith *Bracton*, an Outlaw'd was antiently lookt upon as a Wolf, lawfully to be killed by any man that should meet him, as most just, that he who contemned the Law, and therein the King, should not have benefit by the Law, nor protection from the King, and at this day he is to

loose

looſe all his Goods and Chattels. The Reader will eaſily pardon this digreſſion when he conſiders the general cry againſt Excommunications at this day.

This power of leſſer Excommunication the Biſhop may delegate to any grave Prieſt with the Chancellour.

Excommunicatio major is not only an excluſion from the company of Chriſtians in Spiritual Duties, but alſo in Temporal affairs, and this commonly for Hereſie, Schiſm, Perjury, Inceſt, and ſuch grievous crimes; and that it may be done with the more ſolemnity and terror, it is to be pronounced by the Biſhop himſelf in his proper perſon; and being ſo Excommunicated, a man cannot in any Civil or Eccleſiaſtical Court, be Plaintiff or Witneſs. And in caſe any man be ſo ſtubborn as to continue 40 days excommunicated, the Kings Writ *de excommunicato capiendo* is granted forth of the Chancery againſt him; whereupon he is caſt into priſon without Bail, there to lie till he hath ſatisfied for his offence.

Next there is *Anathematiſmus* to be inflicted only upon an obſtinate Heretick, whereby he is declared a publick Enemy of God, and rejected, and curſed, and delivered over to eternal damnation: and this to be done by the Biſhop, alſo in his own perſon, aſſiſted by the Dean and Chapter, or twelve other grave Prieſts.

Laſtly, there is *Interdictum*, whereby is prohibited all Divine Offices, as Chriſtian

an Burial, Administration of Sacraments, &c. in such a Place, or to such a People, and if this be against a People; it follows them wheresoever they go; but if against a Place only, then the People of that Place may go to Divine Offices elsewhere.

Besides these general censures of the Church, which respect Church Communion, there is another which toucheth the body of the Delinquent, called Publick Penance, when any one is compelled to confess in publick his fault, and to bewail it before the whole Congregation in the Church; which is done in this manner: the Delinquent is to stand in the Church Porch upon some Sunday bare, head and feet, in a white Sheet, and a white Rod in his Hand, there bewailing himself, and begging every one that passes by to pray for him; then to enter the Church, falling down and kissing the ground; then in the middle of the Church, placed in a higher place in the sight of all the People, and over against the Minister, who declares the foulness of his crime odious to God, and scandalous to the Congregation, that God can no way be satisfied but by applying Christs sufferings, nor the Congregation, but by an humble acknowledging of his sin, and testifying his sincere repentance and sorrow, not in words only, but with tears, and promising there in the sight of God and his Holy Angels, that by Gods assistance, and by Prayer, Meditation, and daily works of Piety, he will endeavor hereafter

ter more carefully to watch againſt the temptations of the world, the allurements of the fleſh, and the ſnares of the Devil: which being done, and the Prieſt in Chriſts name pronouncing the remiſſion of ſins, the penitent humbly beſeeches the Congregation to pardon him that great ſcandal againſt them, and receive him into their holy Communion, and to account him again a Member of their Church and in teſtimony hereof, out of their Chriſtian Charity, to vouchſafe to ſay with him aloud, the Lords Prayer. And this way of the Church of *England*, appears by divers Writers, to be the antient way uſed by the Primitive Churches:

Note that it is ordained by the Canons of the Church of *England*, that in caſe the crime be not notorious and publick, the forenamed penance may at the parties requeſt be commuted into a pecuniary Mulct for the poor of the Pariſh, or ſome Pious uſes, provided that for the Reformation of the Delinquent that way appear to be the more probable way; for ſome men will be thereby reclaimed, who by publication of their offence would become more impudent, and hardned, when they perceive their reputation to be loſt.

There remains one more puniſhment or Eccleſiaſtical cenſure which toucheth the body, and that is denyal of Chriſtian burial, which is inflicted not in *pœnam mortuorum*, but in *terrorem viventium*, who naturally deſire that after their death their bodies

bodies may be decently interred. And Christian burial is wont to be denyed by the Church of *England*, to persons dying excommunicate, to perjured persons, to such as are hanged for Felony, or that wilfully kill themselves, and to Apostates, Hereticks, and Extortioners.

To these forenamed Censures and Punishments, both Laity and Clergy are subject; but besides these, there are punishments whereunto the Clergy only are lyable: as first, *Suspensio ab Officio*, when a Minister for a time is declared unfit to execute the Office of a Minister.

Then *Suspensio a Beneficio*, when a Minister for a time is deprived of the profits of his Benefice; and these two Censures are wont to be for smaller crimes.

Thirdly, *Deprivatio a Beneficio*, when for a greater crime, a Minister is wholly and for ever deprived of his Living.

And fourthly, *Deprivatio ab Officio*, when a Minister is wholly and for ever deprived of his Orders, and this is called *Depositio*, or *Degradatio*, and is commonly for some heynous crime, meriting death, and is performed by the Bishop in a solemn manner, pulling off from the Criminal his Vestments, and other Ensignes of his Order; and this in the presence of the Civil Magistrate, to whom he is then delivered to be punished as a Lay man for the like offence. And herein Bishops are to take special care to behave themselves Μὴδ' ὡς κα]κυριεύοντες τῶν κλήρων, not

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as lording over Gods Heritage, not as abſolute Maſters over Servants, to gain by their puniſhments, but as Fathers over Children, for their amendment, and as being Miniſters in Spiritual affairs, to uſe their power for the good of Chriſtians, and to conduct that power by moderation.

Of the Parliament of England, *and therein of the Perſon ſummoning, the manner of the ſummons, the perſons ſummoned, their priviledges; the place and manner of Sitting, the paſſing of Bills in either Houſe, the paſſing of Acts of Parliament, of Adjourning, Proroguing, and Diſſolving of Parliaments.*

A Brief Account of the Eccleſiaſtical Government having been given, next follows the Civil Government, towards which, the firſt great wheel that moves, is the Parliament of *England*.

Before the Conqueſt the Great Council of the King, conſiſting only of the Great men of the Kingdom, was called *Magnum*

tum Conventus, or else *Prælatorum Procerumque Concilium*, and by the *Saxons* in their own Tongue, *Micel Gemot*, the Great Assembly; after the Conquest it was called by the French word *Parlementum*, from *Parler*, to talk together, still consisting only of the Great men of the Nation, until the Reign of *H.* 3. The Commons also were called to sit in Parliament; for the first Writs sent forth to summon them, bears date 49. *H.* 3. about 400 years agoe.

None but the King hath authority to summon a Parliament: In the Kings absence out of the Realm, the *Custos Regni* in the Kings name doth summon a Parliament, and during the Kings minority within the Realm, the *Protector Regni* doth the same.

No Parliament can begin without the Kings Presence, either in Person, or by Representation by *Commissioners*.

When the King of *England* is with his Parliament in time of peace, he is then said to be in the height of his Royal Dignity, as well as when he is at the head of his Army in time of War. There is then scarce any thing that the King cannot do, his power cannot be confined for Causes or Persons within any bounds. He can with the concurrence of his Lords and Commons, legitimate one that is born illegitimate, bastardize one that is born legitimate, that is to say, one begotten in Adultery, the Husband being then within the

the four Seas. He can make an Infant of full age, make an Alien or Forreigner an Engliſhman, can attaint a man of Treaſon when he is dead, when he is no more a man, *&c.*

A Parliament is ſummoned in manner following; About 40 days before the Parliament doth aſſemble, the King iſſues out his Writ *cum Adviſamento Concilii ſui*, and the Warrant is, *per ipſum Regem & Concilium.*

The Kings Writ (which is a ſhort Letter or Epiſtle) is directed and ſent to every particular perſon of the Lords Spiritual and Temporal, commanding the Lords Spiritual *in Fide & Dilectione*, and the Lords Temporal, *per Fidem & Allegiantiam*, to appear at a certain time and place, to Treat and give their Advice in ſome certain important affairs concerning the Church and State, *&c.*

Other Writs are ſent to the High Sheriff of each County, to ſummon the people to elect two Knights for each County, two Citizens for each City, and one or two Burgeſſes for each Burrough, according to *Statute, Charter* or *Cuſtoms.*

In theſe Elections, antiently, all the people had their Votes, and moſt Votes carried it; but for avoiding of tumults and trouble, it was enacted by *H.* VI. that none ſhould have any ſuffrage in the election of Knights of the Shire, but ſuch as were Freeholders, did reſide in the County, and had yearly Revenue 40 *s.* (which till the diſco-

very of the Gold and Silver in *America*, was as much as 30 or 40 *l.* now) whence it came to pass, that the Lay-Commons were then elected as the Clergy-Commons, the *Procuratores Cleri* were and ever have been, viz. *sine Prece, sine Pretio, sine Poculo, &c.*

The persons elected for each County, are to be *Milites Notabiles*, or at least Esquires or Gentlemen, fit to be made Knights, as it is in the Statutes of *H.* VI. They ought to be *de discretioribus Militibus, & ad laborandum potentioribus*, as the words in some Writs have been: they ought not to be of younger years, for then it would be *Juvenatus* (*si sic loqui liceat*) *potiùs quam Senatus*, not lazy Epicures, but men of years, vigorous, active and abstemious men, that will be content to give their constant attendance in Parliament, or else to enjoy neither Priviledge nor Expences allowed to every Member of the Commons House. They ought to be native English men, or at least such as have been Naturalized by Act of of Parliament. No Alien or Denizon, none of the Twelve Judges, no Sheriff of a County, no Ecclesiastical person that hath cure of souls, may be chosen a Parliament man, to serve for any County, City, or Burrough.

Two things are said to be requisite to the legality of sitting in Parliament; first, that a man should be of full age, that is, 21 years old at the least; for if no man under that age can dispose of his Estate, nor make

make one legal Act to that purpoſe, then much leſs may he bear any part in the ſupreme power of the Nation, to Judge, Vote, or Diſpoſe of the Eſtate of the whole Realm: yet the practice in the Houſe of Commons (though never in the Houſe of Lords) hath ſometimes been otherwiſe.

All Members of Parliament, both Lords and Commons, that they may attend the publick Service of their Countrey, are priviledged with their menial Servants attending on their perſons, together with all their neceſſary Goods, brought along with them from all Attachments and Impriſonments, for Debts, Treſpaſſes, Account or Covenant, all the time that they are on the way to the place of Parliament, all the time they are at Parliament, and all the time they are on the way home again, *Eundo, Morando, ad propria redeundo* (for ſo were the old words) but they are not priviledged from Arreſts for Treaſon, Felony, or breach of the peace.

The place of meeting for the High and Honourable Aſſembly, is in whatſoever City, Town, or Houſe the King pleaſeth, but of latter times it hath been uſually held at the Kings antient Palace, and uſual Reſidence at *Weſtminſter*, all the Lords in a fair Room by themſelves, and the Commons not far from them in another fair Room, which was heretofore the antient free Chappel of *S. Stephen*.

The manner of ſitting in the Lords Houſe is thus.

The King as oft as he comes (which hath usually been, only at the opening of Parliamentts, or at the passing of Bills, or at some solemn debates, as the present King hath frequently done) is placed at the upper end of the room in a Chair of State, under a Cloth of State, under which on either hand none but the Kings Children.

On the Kings right hand is a seat, antiently for the King of *Scotland*, when he was summoned to Parliament, as he sometimes was *in fidę & legiantia*; but now it is for the Prince of *Wales*. On the Kings left hand is a Seat for the Duke of *York*.

On the Kings right hand and next the wall, are placed on a Form the two Archbishops, next below on another Form, the Bishops of *London*, *Durham*, and *Winchester*; all the rest of the Bishops sit according to the priority of their Consecration.

On the Kings left hand upon Forms, are placed the Lords Chancellor, Treasurer, President of the Kings Council, and Lord Privy Seal; if they are Barons, above all Dukes, except those of the Royal Family; if they are not Barons, then they sit uppermost on the Woolsacks.

On the same side sit the Dukes, Marquisses and Earls, according to their Creations.

Upon the first Form, a cross the House, below the Woolsacks sit the Viscounts, and upon the next Forms the Barons all in Order.

The

The Lord Chancellor or Keeper (if the King be preſent) ſtands behind the Cloth of Eſtate, otherwiſe ſits on the firſt Woolſack thwart the Chair of State, his Great Seal and Mace by him. He is Lord Speaker of the Lords Houſe. Upon other Woolſacks ſit the Judges, the Privy Counſellors, and Secretaries of State, the Kings Council at Law, the Maſters of Chancery. Theſe being not Barons, have no ſuffrage in Parliament, onely ſit to give their advice when it is required. The reaſon why theſe Sages are placed upon Woolſacks, may probably be to mind them of the great importance of Woull and Sheep to the Nation, that it never be neglected.

On the lowermoſt Woolſack are placed the Clerk of the Crown, now *Henry Barker* Eſquire, and Clerk of the Parliament at preſent *John Brown* Eſquire; whereof the former is concerned in all Writs of Parliament, and Pardons in Parliament; the other recordeth all things done in Parliament, and keepeth the Records of the ſame. This Clerk hath alſo two Clerks under him; who kneel behind the ſame Woolſack, and write thereon. Without the Bar of the Lords Houſe ſits the Kings firſt Gentleman Uſher called the Black Rod, from a black ſtaff he carries in his hand, under whom is a Yeoman Uſher that waits at the door within, a Cryer without, and a Sergeant at Mace always attending the Lord Keeper.

When the King is present with his Crown on his head, none of the Lords are covered.

The Judges stand till the King gives them leave to sit.

When the King is absent, the Lords at their entrance do reverence to the Chair of State, as is or should be done by all that enter into the Kings Presence-Chamber.

The Judges then may sit, but may not be covered till the Chancellor or Keeper signify unto them the leave of the Lords.

The Kings Council and Masters of *Chancery* sit also, but may not be covered at all.

The Commons in their House sit promiscuously, onely the Speaker hath a Chair placed in the middle, and the Clerk of that House near him at the Table. They never had any Robes (as the Lords ever had) but wear every one what he fancieth most, which to strangers seems very unbecoming the Gravity and Authority of the Great Council of *England*: and that during their attendance on Parliament, a Robe or grave vestment would as well become the Honourable Members of the House of Commons, as it doth all the Noble Venetians both young and old, who have right to sit in the Great Council of *Venice*, and as it doth the Senators of *Rome* at this day, *&c.*

The time of sitting in Parliament, is on any day in the morning, or afore dinner, onely it hath antienly been observed, not to assemble upon some high Festival days, but upon ordinary Sundays oft-times as days accounted by all Christians less solemn

ſolemn then divers other Feſtivals, which are celebrated but once a year.

When the day prefixt by the King in his Writs of Summons is come, the King uſually cometh in perſon with his Crown on his Head, and clothed with his Royal Robes, declares the cauſe of the Summons in a ſhort Harangue, leaving the reſt to the Lord Keeper, who then ſtands behind His Majeſty; the Commons in the mean time ſtanding bare at the Barr of the Lords Houſe, are afterwards in the Kings name commanded to chooſe them a Speaker (which without the Kings Command they may not do) whereupon they returning to their own Houſe, make choice of one of their own Members, whom afterwards upon another day, they preſent to the King, and being approved of by His Majeſty, ſitting in his Chair, and all his Lords, both Spiritual and Temporal in their Robes of Scarlet, he makes a modeſt refuſal; which not allowed, he petitioneth His Majeſty that the Commons may have during their ſitting; *Firſt*, a free Acceſs to his Majeſty, *Secondly*, Freedom of Speech within their own Houſe, *Thirdly*, Freedom from Arreſts.

Before any affair be medled with, all the Members of the Houſe of Commons, take the Oath of *Allegiance* and *Supremacy*, in the preſence of an Officer, appointed by the King.

By that old Manuſcript called *Modus tenendi Parliamentum*, it doth appear that the Houſe of Commons did antiently (as the Houſe of Lords at this day) conſiſt of

Clergy-men as well as Lay-men; there ſate the *Procuratores Cleri*, two for each Dioceſs, repreſenting all the Clergy-Commons of the Dioceſs, as the Knights of the Shire doth all the Lay-Commons of the Shire; for it was then judged expedient that every Freeman of *England*, as well Clergy as Laity, ſhould in paſſing of all Laws touching propiety, whereunto they were to be ſubject, give their conſent perſonally or immediately by themſelves, or elſe by ſome that by their Election ſhould mediately undertake for them, and the words of the Writ for ſummoning the *Procuratores Cleri*, as aforeſaid, ſeem to warrant the ſame at this day.

The Power and Priviledges of both Houſes of Parliament are divers and diſtinct one from an other.

The Lords Houſe hath a power not onely in making and repealing Laws, but alſo *in tractando & conſilium impendendo*, as the words of the Writ are, alſo in judging of Controverſies, judging in the arraignment of any Peer of the Realm, putting men to their Oaths, eſpecially in matters of importance, as the Corruption of Judges and Magiſtrates, in Errours, Illegal proceedings in other Courts, in Appeals from Decrees in Chancery, *&c.*

The Lords that in their Religion conform not to the Church of *England*, may yet ſit and have Suffrage in the Lords Houſe.

All the Lords Spiritual and Temporal have this Priviledge, That if by reaſon of Sickneſs, or other buſineſs they cannot appear,

pear, they may make Proxies to vote in their ſtead, after Licence obtained by a Letter under the Kings Signet, to be excuſed for their abſence: ſo that in every Parliament, every perſon in *England*, either by himſelf, Proxy, or Repreſentative is ſaid to be there, and to have his Suffrage for making or repealing any Law.

The Commons have alſo a power in making and repealing Laws, they alſo have their Negative Voyce, for Levying of any money upon the Subject, the Bill is to begin in the Commons Houſe, becauſe from them doth ariſe the greater part of Moneys.

The Commons have the Priviledge to ſupplicate and propoſe Laws, to impeach publick Delinquents, even the higheſt Lords of the Kingdom, both Spiritual and Temporal.

The Houſe of Commons is the Grand Inqueſt of the Realm, ſummoned from all parts to preſent publick grievances, and Delinquents to the King and Lords to be redreſſed and puniſhed by them; and to this purpoſe, the Lords ſit in their Robes on the Bench covered, as Judges do in other Judicatories; they ſwear and examine Witneſſes, and at length paſs ſentence, whilſt the Members of the Commons Houſe ſtand bare at the Bar of the Lords Houſe, produce Witneſſes, mannage evidence, *&c.*

Note that although every Member of the Commons Houſe is choſen to ſerve for one particular County, City, or Burrough, yet

yet he serves for the whole Kingdom, and his voyce equal to any other, his power absolute to consent or dissent without ever acquainting those that sent him, or demanding their assent, as the States General of the *United Neatherlands* are obliged to do in many Cases.

Yet are they to make that their special care to promote the Good of that County, City or Borough for which they serve.

Although the Lords of Parliament are to bear their own charges, because they represent there only themselves; yet all the Commons, both Lay and Clergy, that is, the *Procuratores Cleri*, are to have *rationabiles Expensas* (as the words of the Writ are) that is, such allowance as the King considering the Prices of all things, shall judge meet to impose upon the people to pay. In the 17 *Edward* 2. it was 10 *groats* for Knights, and 5 *groats* for Burgesses, but not long after it was 4*s*. a day for dubbed Knights, and 2*s*. for all others; which in those days, as appears by the prices of all things, was a considerable sum, above 20 times more than it is now; for not onely their expences were considered, though that was great, by reason of the suitable attendance that then every Parliament man had, but also their pains, their loss of time, and necessary neglect of their own private affairs for the service of their Country; and when the Countries, Cities and Burroughs, paid so dear for their expences, they were wont to take care

to

to chooſe ſuch men as were beſt able and moſt diligent in the ſpeedy diſpatch of affaires, by which means with ſome other, more buſineſs in thoſe times was diſpatched in Parliament in a week, then is now perhaps in ten: ſo that the Protections for Parliament men and their Servants from Arreſts, were not then grievous, when ſcarce any Parliament or Seſſion laſted ſo long as one whole Term.

In the Raign of *Edward* 3. the Parliaments ſometimes ſate but eight days, and ſometimes leſs, as may be ſeen in the Records of the Tower, and yet tranſacted ſeveral and weighty affairs of the Nation, many things being prepared before hand, (as ſome think) by the King and his privy Council, as they are at preſent in *Sweden*, and that commonly they then debated onely upon ſuch things, as the King did propoſe, which is now done by the Convocation of the Clergy of *England*.

The afore-mentioned expences being duly paid, did cauſe all the petty decayed Burroughs of *England* to become humble Suitors to the King that they might not be obliged to ſend Burgeſſes to Parliament, whereby it comes to paſs that divers were unburgeſſed, as it was in particular granted to *Chipping*, or *Market Torriton* upon their petition, and then the number of the Commons houſe being ſcarce half ſo many as at preſent, their Debates and Bills were ſooner expedited; no faction among them, nor diſtinction of parties, but altogether,

together by a blessed unanimity amongst themselves, and complyance with the Lords rarely denyed any thing to the King, and as rarely were denyed any thing by the King.

The manner of debates of passing of Bills and Acts, is thus.

It is the practise of each House to debate not onely of what the King hath proposed, but of any other matters, though heretofore that hath sometimes been by their Soveraign expressly forbidden.

It is free for any man of the Parliament, or not of the Parliament, to get a Bill drawn by some Lawyer, and give the same to the Speaker or Clerk of the Parliament to be presented at a time convenient, and this Bill may be put first either in the Lords House or the Commons House.

Whatever is proposed for a Law, is first put in Writing, and call'd a Bill, which, being read commonly after 9 of the clock in a full Assembly, it is either unanimously rejected at first, or else allowed to be debated, and then it is committed to a certain number of the House presently nominated and called a Committee. After it hath been amended, and twice read two several days in the House, then it is is engrossed, that is, written fair in Parchment, and read the third time another day, and then, if it be in the Lords House, the Lord Keeper, in the Commons House, the Speaker demandeth if they will have it put to the question, whether a Law or no Law? if

if the major part be for it, there is written on the Bill by the Clerk, *Soit baillè aux Communes*, or, *Soit baillè aux Seigneurs*, retaining ſtill in this, and ſome other things about making Laws, the cuſtom of our Anceſtors, who were generally skilled in the French tongue.

Note that when the Speaker finds divers Bills prepared to be put to the queſtion, he gives notice the day before, that on the morrow he intends to put ſuch Bills to the paſſing or third reading, and deſires the ſpecial attendance of all the Members.

Note alſo, that if a Bill be rejected, it cannot be any more propoſed during that Seſſion.

A Bill ſent by the Commons up to the Lords is uſuall (to ſhew their reſpect) attended with 30 or 40 of the Members of the Houſe, as they come up to the Lords Bar, the Member that hath the Bill making three profound reverences, deliver-eth it to the Lord Keeper, who for that purpoſe comes down to the Barr.

A Bill ſent by the Lords to the Commons, is uſually ſent by ſome of the Maſters of the Chancery, or other perſon whoſe place is on the Woolſacks (and by none of the Member, of that Houſe) and they coming up to the Speaker, and bowing thrice, deliver to him the Bill, after one of them hath read the Title, and deſired it may be there taken into conſideration, if afterwards it paſs that Houſe, then is written on the Bill, *Les Communes ont aſſentè*.

When

When any one in the Commons Houſe will ſpeak to a Bill, he ſtands up uncovered, and directs his Speech onely to the Speaker, then if what he delivers, be confuted by another, yet it is not allowed to anſwer again the ſame day, leſt the whole time ſhould be ſpent by two talkative perſons. Alſo if a Bill be debating in the Houſe, no man may ſpeak to it in one day above once.

If any one ſpeak words of offence to the Kings Majeſty, or to the Houſe, he is called to the Bar, and ſometimes ſent to the *Tower*. The Speaker is not allowed to perſwade or diſſwade in paſſing of a Bill, but only to make a ſhort and plain Narrative, nor to Vote except the Houſe be equally divided.

After Dinner the Parliament ordinarily Aſſembles not, though many times they continue ſitting long in the afternoon.

Committees ſit after dinner, where it is allowed to ſpeak, and reply as oft as they pleaſe.

In the Lords Houſe, they give their Suffrages or Votes beginning at the *Paiſne* or loweſt Baron, and ſo the reſt *Seriatim*, every one anſwering apart [*content*] or [*not content.*]

In the Houſe of Commons they vote by *Tea's and No's* altogether, and if it be doubtful whether is the greater number, then the *Tea's*, are to goe forth, and the *No's* are to ſit ſtill (becauſe theſe are con-

tent

tent with their preſent condition, without any ſuch addition or alteration of Laws as the other deſire) and ſome are appointed to number them, but at a Committee, though it be of the whole Houſe as is ſometimes, the *Yea*'s go on one ſide, and the *No*'s on the other,, whereby they may be diſcerned.

If a Bill paſs in one Houſe, and being ſent to the other Houſe, they demur upon it, then a Conference is demanded in the Painted Chamber, where certain deputed Members of each Houſe meet, the Lords ſitting covered at a Table, the Commons ſtanding bare with great reſpect, where the buſineſs is debated: if they then agree not, that buſineſs is nulled, but if they agree then it is at laſt brought (with all other Bills which have paſſed in both Houſes) to the King, who comes again with His Crown on his Head, and clothed with His Royal Robes (ſometimes before His Pleaſure is to prorogue or diſſolve them;) and being ſeated in His Chair of State, and all the Lords in their Robes, the Clerk of the Crown reads the Title of each Bill, and as he reads, the Clerk of the Parliament, according to his inſtructions from the King, who before hath maturely conſidered each Bill, pronounceth the Royal Aſſent. If it be a publick Bill, the Anſwer is [*Le Roy le veut*] which gives Life and Birth to that Bill that was before but an *Embrio*. If a private Bill, the Anſwer is [*Soit fait comme il eſt deſire*] If it be a pub-

publick Bill, which the King likes not, then the Answer is [*Le Roy s' aviſera*] which is taken for an abſolute denyal in a more civil way, and that Bill wholly nulled. So that it is as true in *England* in ſome ſence, as in any Monarchy in the world, *Quod Principi placuit legis habet vigorem*, Not that whatever the King of *England* wills becomes immediately a Law, but that nothing except what the King wills hath the force of a Law.

Note that the King without his perſonal preſence, can by Commiſſion granted to ſome of his Nobles, give His Royal Aſſent to any Bill that requires haſt.

If it be a Bill for Moneys given to His Majeſty, then the anſwer is [*Le Roy remercie ſes loyaux ſujets, accepte leur Benevolence, & auſſi le veut*] which antient Ceremony of thanking the Subject for parting with their Money, ſome think might better be ſpared, becauſe it intimates a diſtinct intereſt between the King and His Subjects, which is not onely falſe, but very dangerous to be allowed of. The King is *Pater patriæ*, the Money given to him is for our uſe and benefit, if we are niggardly to him, we injure our ſelves, *&c.* The Bill for the Kings general Pardon, hath but one reading in either Houſe, for this reaſon, becauſe they muſt take it as the King will pleaſe to give it, ſo the Bill of Subſidies granted by the Clergy aſſembled in Convocation for the ſame reaſon. When the Bill for the general Pardon is paſſed by the

the King the Anſwer is thus *(les Prelats Signeurs & communes en ce Parlament aſſemblez au nom de tous vos autres ſujets, remercient tres humblement voſtre Majeſte & prient Dieu vous donner en ſante bonne vie & longue.*

All Acts of Parliament before the Reign of *Henry* 7. were paſſed and enrolled in *French*, now in *Engliſh*.

Moſt of our antient Acts of Parliament run in this ſtile; The King at the humble requeſt of the Commons, with the aſſent of the Prelates, Dukes, Earles and Barons hath ordained or enacted. After it was thus, The King by the Advice and Aſſent of the Lords Spiritual and Temporal, and with the Aſſent of the Commons doth enact: of later times it hath been thus, Be it enacted by the Kings moſt excellent Majeſty, by and with the advice and conſent of the Lords Spiritual and Temporal, and of the Commons: although the words of the Writ for ſummoning the Commons (which ought to be the main rule) is onely *ad Conſentiendum*, and not *ad Conſilium impendendum*, as it is in the Writ to the Lords: and it is evident that the Commons in the late long Parliament made that an advantage for juſtifying their uſurpations againſt the King in that point; and ſo in another Parliament, the Commons endeavoured to maintain that the Concurrence of the Lords was not always neceſſary in an Act of Parliament, becauſe, 1 *Edward 6. cap.* 5. in paſſing that Act againſt

gainſt tranſportation of Horſes, the Lords were caſually omitted, yet by the Regiſter of the Lords Houſe, it appears that that Bill began firſt in the Lords Houſe, and there paſſed before the Commons took it in debate, and therefore the Kings Council at Law is very curious in wording rightly all Acts before they are brought to the King, and the Clerks of the Parliament as carefull in tranſcribing and regiſtring them: However it is to be wiſhed, that to prevent future miſchief to this Nation, ſome clauſes in the late Act of *Oblivion* and *Indemnity* might be amended, or at leaſt explained, and more eſpecially about the beginning of that Act, theſe words (*That all manner of Treaſons, &c. ſince* January 1637. *and before* June 1660. *by vertue of any Authority from His late Majeſty King Charles, or His Majeſty that now is, be pardoned, &c.*) which words might poſſibly be foiſted in deſignedly to inſinuate, as if (according to that moſt abſurd and Traiterous poſition of ſome of the Rebellious Members of the Long Parliament) the Kings perſon or any commiſſionated by him, could be guilty of Treaſon againſt the Kings Authority, or againſt His two Houſes of Parliament, by purſuing of Rebels to bring them to Juſtice according to the Laws of the Land. It were alſo to be deſired, that to prevent the great diſhonour of making additional and explanatory Acts of Parliament, ſo frequently as hath of late been done, all conſiderable

Bills

Bills of Publick concernment, once read in either Houſe of Parliament, may (before they be paſſed) be expoſed to the view of all comers (as antiently among the Romans was uſual) to the end that any other perſon (beſides thoſe of the two Houſes) may within the ſpace of certain days freely propoſe in Writing or otherwiſe, his exceptions, additions, alterations, or amendments, *Sed hæc obiter.*

When thoſe things for which the Parliament was ſummoned have been ſufficiently treated and brought to a concluſion, then the King doth uſually adjourn, prorogue or diſſolve the Parliament in maner following.

The adjournments are uſually made in the Lords Houſe, by the Lord Keeper, in the Kings Name, to what other day the King pleaſeth, and alſo to what other place if he think fit to remove them, as ſometimes hath been done, and then all things already debated and read in one or both Houſes, continue to the next meeting in the ſame ſtate, they were in before the adjournment, and ſo may be reſumed.

In the like maner, the Parliament is Prorogued, but by a Prorogation there is a Seſſion, and then the Bills that were almoſt ready in both Houſes for the Royal Aſſent, not having it, muſt at the reaſſembling of the Parliament begin anew.

The Speaker of the Houſe of Commons upon notice given that it is the Kings pleaſure that Houſe ſhall alſo adjourn, doth ſay,

ſay, with the aſſent of the Houſe, This Houſe is adjourned.

When the Kings pleaſure is to prorogue or diſſolve the Parliament, His Majeſty commonly cometh in perſon with His Crown on his Head, ſendeth for all the Houſe of Commons, to come to the Bar of the Lords Houſe: and after the Kings anſwer to each Bill ſignified as aforementioned, His Majeſty uſually makes a Solemn Speech, the Lord Keeper another, and the Speaker of the Houſe of Commons a third, then the Lord Keeper by the ſpecial command of the King doth pronounce the Parliament prorogued or diſſolved.

Note, That the King being head of the Parliament, if his death doth happen during the ſitting of the Parliament, it is, *ipſo facto* diſſolved.

Antiently, after every Seſſion of Parliament the King commanded every Sheriff to proclaim the ſeveral Acts, and to cauſe them to be duly obſerved, yet without that Proclamation, the Law intended that every one hath notice by his repreſentative of what is tranſacted in Parliament: of later times ſince Printing became common, that Cuſtom hath been laid aſide.

The

The Number of Perſons that have have Place and Suffrage in both Houſes.

To the Lords Houſe belong 3 Dukes of the Royal Blood, though one be *infra ætatem*. 7 other Dukes. 3 Marquiſes. 56 Earls. 9 Vicounts, and 67 Barons, in all 154. Then there are two Archbiſhops, and 24 Biſhops; ſo that the Total is 180. But many being under age, ſome ſick and infirm, others abroad in the Kings Service, the ordinary number is about 100.

To the Houſe of Commons belong firſt for the 40 Shires of *England* two for each, in all 80 Knights; then one for each of the twelve Counties of *Wales*, 12 Knights. For 25 Cities in *England*, two to each, and *London* four, in all 52 Citizens. For the *Cinque Ports* 16 Barons, for the two *Univerſities* two Burgeſſes for each: For 168 Burroughs there are about 330 Burgeſſes, for ſome few of thoſe Burroughs ſend but one Burgeſs apiece, Laſtly in each of the 12 Counties of *Wales*, there is one Burrough that ſends only one Burgeſs; ſo the total Number of the Houſe of Commons, is a little above 500 perſons, whereof commonly near 200 are abſent upon buſineſs or ſickneſs, *&c.*

Note, that the Barons of the Cinque Ports, are at this day onely as other Burgeſſes

gesses in Parliament, but are still called Barons, after the antient manner, because heretofore they got great renown by their exploits at Sea in defending the Kingdom, in memory whereof, they have yet the Priviledge to send Burgesses to bear the Cloth of State over the Kings Head on the day of his Coronation, and to dine that day in the Kings Presence.

A List of all the Knights, Citizens, Burgesses and Barons of the Cinque Ports, that at present serve in the Parliament of England.

Bedford.

SIR Humphry Winch, Bar.
Sir John Nappier, Bar.

Town of Bedford.

Pawlet St. John, Esq;
Sir William Beecher, Kt.

Berks.

Richard Nevil, Esq;
Sir Richard Powle, Kt of the Bath.

Burough of New Windsor.

Sir Richard Braham, Kt.
Sir Thomas Higgons, Kt.

Borough of Reading.

Sir Thomas Doleman, Kt.
Richard Aldworth, Esq;

Burough of Wallingford.

Sir John Benet, Knight of the Bath.

Robert Packer, Esq;

Borough of Abingdon.

Sir George Stonehouse, Bar.

Bucks.

Sir William Bowyer Kt. and Bar.

Sir William Terringham, Kt. of the Bath.

Town of Bucks.

Sir Richard Temple, Bar.

Sir William Smith, Bar.

Borough of Chipping Wiccomb.

Sir Edmond Pye, Kt. and Bar.

Sir John Burlace, Bar.

Borough of Aylesbury.

Sir Richard Ingoldsby, Knight of the Bath.

Sir Thomas Lee, Bar.

Borough of Agmondesham.

Sir Will. Drake, Kt.

Sir Thomas Proby, Bar.

Borough of Wendever.

Richard Hampden Esq;

Robert Crooke, Esq;

Borough of great Marlowe.

Peregrine Hobby Esq;

Charles Cheyney, Esq;

Cam-

Cambridge.

Sir Thomas Chicheley, Kt.
Sir Thomas Wendy, Knight of the Bath.

University of Cambridge.

Thomas Crouch, Master of Arts,
Sir Charles Wheeler, Bar.

Town of Cambridge.

William Lord Allington.
Roger Pepis, Esq;

Chester.

Sir Foulke Lucy, Knight.
Thomas Cholmly Esq;

City of Chester

Sir Thomas Smith, Bar.
John Radcliff, Esq;

Cornwall.

Sir Jonath. Trelawny, Kt.
Sir John Corryton, Bar.

Borough of Dunhivid, alias Launceston.

Sir Richard Edgecombe, Knight of the Bath.
Sir Charles Harbord Knight, His Majesties Surveyor General.

Borough of Leskeard.

John Harris, Esq;
Barnard Greenvile, Esq;

Borough of Lestwithiel.

Charles Smith, Esq;
Silas Titus, Esq;

Borough of Truroe.

John Arundel, Esq.
Edward Boscawen.

Borough of Bodmin.

Sir John Carew, Bar.
Hender Roberts, Esq;

Borough of Helston.

Sir William Godolphin, Bar.
Sidney Godolphin, Esq;

Borough of Saltashe.

Francis Buller, Junior Esq;
John Buller Esq;

Borough of Camelford.

Thomas Coventry, Esq.
Sir Will. Godolphin, Kt.

Borough of Port-Pigham, alias Westlow.

Sir Henry Vernon, Bar.

John

John Trelawny, Esq,

Borough of Grampound.

Charles Trevanion, Esq;
John Tanner Esq.

Borough of Eſtlow.

Henry Seymour, Esq;
Sir Robort Atkins, Kt. of the Bath,

Borough of Penryn.

William Pendarvis, Esq;
John Birch, Esq;

Borough of Tregony.

Hugh Boscawen, Esq;
Thomas Herle, Esq;

Borough of Boſſiny.

Robert Roberts, Esq;
Richard Rous, Esq;

Borough of St. Ives.

James Praed, Esq:
Edward Nosworthy, Esq;

Borough of Fowey.

Jonathan Rashley, Esq;
John Rashly, Gent.

Borough of St. Germains.

John Elliot, Esq;
Edward Elliot Esquire.

Borough of St. Michael.

Matthew Wren, Esq;
Francis Ld Hawley.

Borough of Newport.

John Speccot, Eſq;
Nicolas Morice.

Borough of St. Mawes.

Arthur Spry, Eſq;
Sir Joſeph Tredinham.

Borough of Kellington.

Sir Cyril Wych, Kt.
Sam. Roll, Eſq;

Cumberland.

Sir George Fletcher, Bar.
Sir John Lowther, Bar.

City of Carliſle.

Sir Philip Howard, Kt.
Chriſtopher Muſgrave Eſq;

Borough of Cockermouth.

Sir Wilfrid Lawſon, Kt.
John Clark, Eſq;

Derby.

William Lord Cavendiſh.
Sacheverel Eſq;

Town of Derby.

John Dalton, Eſq:
Anchetel Grey, Eſq;

Devon.

Sir John Roll, Knight of the Bath.
Sir Coppleſtone Bamfield, Kt.

City of Exeter.

Sir James Smith, Kt.
Robert Walker, Eſq;

Borough of Totnes.

Sir Edward Seymour, Bar.
Sir Thomas Clifford, Kt.

Borough of Plymouth.

Sir William Morice, Kt.
Sir Gilbert Talbot Kt.

Town and Borough of Okehampton.

Sir Edward Wiſe Knight of the Bath.
John Harris Eſq;

Borough of Barnſtable.

Sir John Norcot Bar.
Nicholas Dennis, Eſq;

Borough of Plympton.

Sir William Stroude, Kt.
Sir Nicholas Slanning, Kt. and Bar.

Borough of Honiton.

Sir Courtney Poole Bar.
Peter Prideaux, Eſq;

Borough of Taviſtok.

George Howard Eſq;

William Russel, Esq;
Borough of Ashburton.
Sir Geo. Sonds, Kt. of the Bath.
John Fowel, Esq;
Borough of Clifton Dartmouth, Hardnes.
William Harbord Esq;
William Gould Esq;
Borough of Beeralston.
Sir John Maynard, Kt. the Kings Sergeant at Law.
Joseph Maynard, Esq;
Borough of Tiverton.
Thomas Carew Esq;
Henry Ford, Esq;

Dorset.

Giles Strangeways, Esq;
Sir John Strode, Kt.
Town of Poole.
Sir John Moreton, Bar.
Thomas Trenchard, Esq;
Borough of Dorchester.
James Gould, Esq;
John Churchill, Esq;
Borough of Kings Lime.
Sir John Shaw, Kt. and Bar.

Henry

Henry Henly, Eſq;

Borough of Weymouth.

Sir John Covenrry, Kt. of the Bath.
Sir Winſton Churchill, Kt.

Borough of Kings-mellcombe.

Bullen Reymes, Eſq;
Anthony Aſhley Eſq;

Borough of Bridport.

Humphrey Biſhop, Eſq;
John Strangewaiſe, Eſq;

Bor. of Shaſton, alias Shaſtbury

Henry Whittacre, Eſq;
John Bennet, Eſq;

Borough of Wareham.

George Pit, Eſq;
Robert Culleford, Eſq;

Borough of Corfe Caſtle.

Sir Ralf Banks, Kt.
John Tregonwell, Eſq;

Eſſex.

Baneſtre Maynard, Eſq;
Sir John Bramſtone Knight of the Bath.

Borough of Colcheſter.

Sir Harbottle Grimſtone Baronet, Maſter of the Rolls.
Sir John Shaw, Kt.

Borough of Malden.

Sir John Tirril, Kt.
Sir Richard wiseman, Kt.

Borough of Harwich.

Thomas King, Esq;
Sir Capel Luckin.

Glocester.

John Grubham How, Esq;
Sir Bainham Throgmorton Kt.

City of Glocester.

Sir Edward Massy, Kt.
Evan Seyes, Serjeant at Law.

Borough of Cirencester.

Henry Fowle Esq;
John George, Esq;

Borough of Tewksbury.

Sir Henry Capel, Kt. of the Bath.
Richard Dowdswel, Esq;

Hereford.

John Kerle, Bar.
Thomas Price, Esq;

City of Hereford.

Roger Vaughan, Esq;
Herbert Westphaling, Esq;

Borough of Leompſter.

Reynald Graham, Eſq;
Humphrey Cornwall, eſq;

Borough of Weobly.

John Barnaby, Eſq;
Sir Thomas Tompkins, Kt,

Hertford.

Sir Richard Franklyn, Knight and Baronet.
Will. Hale, Eſq;

Borough of St. Albans

Sam. Grimſton, Eſq.
Thomas Arris, Doctor of Phyſick.

Borough of Hertford.

Sir Edward Turner, Knight Speaker.
Thomas Lord Fanſhaw, , Knight of the Bath.

Huntingdon.

Robert Vicount Mandeville.
Henry Williams, Eſq;

Borough of Huntingdon.

Sir John Cotton, Bar.
Lyonel Walden, Eſquire.

Kent.

Kent.

Sir Thomas Peyton, Bar.
Sir John Tufton, Kt. and Bar.

City of Canterbury.

Thomas Hardres, Serj. at Law.
Sir Edward Masters, Kt.

City of Rochester.

Sir Francis Clerk, Kt.
Richard Head Esquire.

Borough of Maidstone.

Thomas Herlackenden, Esquire.
Sir Robert Barneham, Bar.

Borough of Queenborough.

James Herbert, Esquire.
Sir Edward Hales, Bar.

Lancaster.

Sir Roger Bradshaw, Kt.
Thomas Preston, Esquire.

Borough of Lancaster.

Richard Kirkby, Esquire.
Richard Harrison, Esquire.

Borough or Town of Preston in Amounderness.

Edward Rigby Esquire.

John

John Otway, Eſquire.

Borough of Newton.

Richard Lord Gorges.
Richard Leigh, Eſq;

Borough of Wigon.

Charles Earl of Ancram.
Sir Jeofry Shakerley, Kt.

Borough of Clitheroe.

Sir John Heath, Attorney of the Dutchy
Ambroſe Pudtey, Eſq;

Borough of Liverpoole.

Sir William Bucknell, Kt.
Sir Gilbert Ireland, Kt.

Leiceſter.

John Lord Roos.
George Faunt, Eſq;

Town of Leiceſter.

Sir William Hartop, Kt.
Sir John Prettyman, Kt. and Bar.

Lincoln.

George Vicount Caſtleton.
Sir Robert Car, Kt. and Bar.

Co-

City of Lincoln.

Sir Thomas Meres, Kt.
Sir John Mounſon jun. Kt. of the Bath.

Borough of Boſton.

Sir Anthony Irby Kt.
Sir Philip Harcourt, Kt.

Borough of Great Grimsby.

Jervas Holles, Eſq;
Sir Frechevile Holles, Kt.

Town of Stamford.

Peregrin Bertue, Eſq:
William Montague, Eſq;

Borough of Grantham.

Sir John Newton, Bar.
Sir William Thorold, Kt. and Bar.

Middleſex.

Sir Lancelot Lake, Kt.
Sir Thomas Allen, Kt.

City of Weſtminſter.

Sir Philip Warwick, Kt.
Sir Richard Everard, Kt.

London.

Sir John Frederick, Kt.
Sir William Thomſon, Kt.
William Love Eſq;

John

John Jones, Eſq;

Monmouth.

Sir Trevor Williams, Bar.
William Morgan, Eſq:

Borough of Monmouth.

Sir George Probert, Kt.

Norfolk.

Thomas Lord Richardſon.
Sir Ralph Hare, Bar.

City of Norwich.

Chriſtopher Jay, Eſq;
Francis Corey, Eſq;

Town of Lynn Regis.

Robert Wright, Eſq;
John Coke, Eſq;

Town of Great Yarmouth.

Sir William Coventry, Kt.
Sir William Doyly, Kt and Bar.

Borough of Thetford.

Sir Allan Apſeley, Kt.
Joſeph Williamſon, Eſquire.

Borough of Caſtlerising.

Sir Robert Paſton, Kt. and Bar.
Robert Steward, Eſquire.

Northamton.

Sir Justinian Isham, Bar.
George Clark, Esquire.

City of Peterborough.

William Lord Fitzwilliams.
Sir Vere Fane.

Town of Northampton.

Lord O Bryon.
Sir William Farmer.

Town of Brackeley.

Sir Thomas Crew, Kt.
Robert Spencer Esquire.

Borough of Higham Ferrers.

Sir Lewis Palmer, Bar.

Northumberland.

Henry Earl of Ogle.
Sir William Fenwick, Bar.

Town of Newcastle upon Tine.

Sir Francis Anderson, Kt.
Sir John Marley Kt.

Borough of Morpeth.

Sir George Downing, Kt. and Bar.
Edward Lord Morpeth.

Town of Berwick upon Twede.
Edward Gray Eſquire.
Daniel Collingwood Eſquire.

Nottingham.

Anthony Eyre, Eſquire.
Sir Francis Leeke, Knight and Bar.
Town of Nottingham
Arthur Stanhop, Eſquire.
Robert Pierpoint, Eſquire.
Borough of Eaſtretford.
Sir William Hickman, Bar.
Sir Edward Deering, Kt.

Oxon.

Sir Francis Wainman, Kt.
Sir Anthony Cope, Knight and Bar.
Univerſity of Oxon.
Lawrence Hide, Eſquire.
Sir Henage Finch, Kt. and Bar. His Majeſties Atturney General.
City of Oxon.
Robert Croke, Eſquire.
Brome Whorwood, Eſquire.
Borough of New-Woodſtock.
Sir Thomas Spencer, Bar.

Sir

Sir William Fleetwood, Kt.

Borough of Banbury.

Sir John Holeman, Kt.

Rutland.

Edward Noell, *Esquire.*

Phillip Sherrard, *Esquire.*

Salop.

Sir Francis Lawley, Bar.

Richard Newport, *Esquire.*

Town of Salop.

Robert Leighton, *Esquire.*

Thomas Jones, *Serjeant at Law.*

Borough of Bruges, alias Bridgenorth.

Sir William Whitmore, Bar.

Sir Thomas Whitmore, Knight of the Bath.

Borough of Ludlow.

Sir Job Charleton, His Majesties Serjeant at Law.

Somerset Fox, *Esquire.*

Borough of Great Wenlock.

Sir Thomas Littleton Kt.

George Weld, *Esquire.*

Town

Town of Biſhops-Caſtle.

Edmond Waring, *Eſquire.*
William Oakeley, *Eſquire.*

Sommerſet.

Edward Philips, *Eſquire.*
Sir, Jo. Sydenham, Bar.

City of Briſtol.

Sir John Knight, Kt.
Sir Humphrey Hook, Kt.

City of Bath.

Sir William Baſſet, Kt.
Sir Francis Popham, Kt. and Bar.

City of Wells.

Richard Lord Butler, *Earl of Arran.*
Sir Maurice Berkley, Kt. and Bar. Lord Fitzharding.

Borough of Taunton.

Sir William Portman, Bar.
Sir William Windham Kt.

Borough of Bridgewater.

Edmond Windham, *Eſquire.*
Peregrine Palmer, *Eſquire.*

Borough of Minehead.

Sir Jo. Malet, Kt.
Sir Hugh Windham, Kt.

Bo-

Borough of Ilcester.

Sir Edward Phillips jun. Kt.
Henry Dunster, Merchant.

Borough of Milborneport.

Francis Windham Esquire.
Michael Mallet, *Esquire.*

Southampton.

Charles Lord *St.* John.
Sir John Norton, Bar.

City of Winchester.

Sir Rober Holmes, Kt.
Lawrence Hide, *Esquire.*

Town of Southampton.

Sir Richard Ford, Kt.
Thomas Knowles, *Esquire.*

Town of Portsmouth.

Richard Norton, *Esquire.*
Sir George Carteret, Kt. and Bar.

Borough of Yarmouth.

Richard Lucy, *Esquire.*
Edward Smith, Esquire.

Borough of Peterfield.

Thomas Neal, *Esquire.*
Arthur Bold *Esquire.*

Borough of Newport, alias Medena.

Sir Robert Dillington.
William *Glascock, Esq;*

Bo-

Borough of Stockbridge.
Sir Robert Howard, Kt.
Robert Phillips, *Eſquire.*
Borough of Newtown.
Sir John Barrington, Kt. and Bar.
Sir Robert Worſley, Kt. and Bar.
Borough of Chriſtchurch.
Humphry Weld, *Eſquire.*
Henry Tulſe, *Eſquire.*
Borough of Whitchurch.
Henry Wallop *Eſquire.*
Giles Hungerford, *Eſquire.*
Borough of Limmington.
Sir William Lewis, Bar.
Sir Nicholas Steward, Bar.
Town of Andover.
John Collins, *Eſquire.*
Sir John Trot, Bar.

Staffoꝛd.

Sir Edward Littleton, Bar.
Randolph *Egerton, Eſquire.*
City of Litchfield.
Richard Diot, *Eſquire.*
Sir Theophilus Bidolph Kt. and Bar.
Borough of Stafford.
Robert Milward, *Eſquire.*

Wil-

William Chetwinde, *Esquire.*

Borough of Newcastel under Line.

Sir Cæsar Colclough, Bar.

Edward Manwaring *Esquire.*

Borough of Tamworth.

Charles Lord Clifford.

John Swinfein, *Esquire.*

Suffolke.

Sir Henry Felton, Bar.

Sir Henry North, Bar.

Borough of Ipswich.

John Wright, Esquire.

William Bloise, sen. *Esquire.*

Borough of Dunwich.

William Wood *Esquire.*

Sir John Pettus Kt.

Borough of Orford.

Sir Allen Broderick, Knight

Walter Devereux, Esquire.

Borough of Aldborough.

Sir John Holland, Bar.

Jo. Bence, *Esquire.*

Borough of Sudbury.

Sir Robert Cordel, Bar.

Thomas Walgrave, *Esquire.*

Borough of Eye.
Sir George Reeve, Kt. and Bar.
Charles Cornwallis, *Eſquire.*
Borough of St. Edmonds-bury.
Sir John Duncomb, Kt.
Sir Edmond Pooley, Kt.

Surrey.

Sir Adam Brown, Bar.
Sir *Edmond* Bowyer, Kt.
Borough of Southwark.
Sir Thomas Bludworth, Kt.
Sir thomas Clarges, Kt.
Borough of Blechingly.
Sir William Hayward, Kt.
Sir *Edward* Biſh, Kt.
Borough of Rygate.
Roger James, Eſquire.
Sir Edward Thurland, Knight.
Borough of Guiltford.
Arthur Onſlow, Eſquire.
Thomas De Mahoy, Eſquire.
Borough of Gatton.
Thomas Turgis, Eſquire.
Sir Nicolas Carew, Kt.
Borough of Haſlemere.
George Evelyn, Eſquire.

Tho-

Thomas Morrice, Esquire.

Sussex.

Sir John Pelham, Bar.
Sir Will. Morley Kt. of the Bath.

City of Chichester.

Sir Henry Peckham, Kt Serjeant at Law.
William Garaway, Esquire.

Borough of Horsham.

Sir John Covert, Kt. and Bar.
Orlando Bridgman, Esquire.

Borough of Midhurst.

Baptist May, Esquire.
John Steward, Esquire.

Borough of Lewis.

Sir John Stapely Kt. and Bar.
Sir Thomas Woodcok, Kt.

Borough of New-Shoreham.

Edward Blaker, Esquire.
Jo. Fag, Esquire.

Borough of Bramber.

Sir Cicil Bishop.
Peircy Goring, Esquire.

Borough of Steyning.

Sir John Fag, Bar.
Henry Goring, *Esq;*

Borough of East Grimstead
Charles Lord Buckhurst.
Sir George Courthop, Kt.
Borough of Arundel.
Roger, Earl of Orrory.
Francis, Lord Angier.

Warwick.

Sir Robert Holt, Bar.
Sir Henry Puckering, alias Newton.
City of Coventry.
Sir Clement Fisher, Bar.
Richard Hopkins, Esq;
Borough of Warwick.
Sir Francis Compton, Kt.
Foulk Grevile, Esq;

Westmerland.

Sir Phillip Musgrave Bar.
Sir Thomas Strickland, Kt.
Borough of Apulby
Thomas Tuston, Esq;
John Dalston, Esq;

Wilts.

Henry Lord Cornbury.

Thomas Thin, Esq;

City of New Sarum.

Sir Stephen Fox, Kt.
Richard Coleman Esq;

Borough of Wilton.

Sir John Birkenhead, Kt.
Sir Thomas Mompesson, Kt.

Borough of Downton.

Gilbert Rawleigh, Esq;
Sir Joseph Ash, Kt.

Borough of Hindon.

Edward Seymor, Esq;
Sir George Grubham How, Bar.

Borough of Westbury.

Richard Lewis, Esq;
Thomas Wanklyn, Esq;

Borough of Hetsbury.

John Jolliffe, Esq;
William Ash, Esq;

Borough of Calne.

William Ducket, Esq;
George Low Esq;

Borough of the Devises.

Edward Lewis, Esq;
George Johnson.

Borough of Chippenham.

Sir Edward Hungerford, Kt. of the Bath.
Henry Baynton Esq;

Bo-

Borough of Malmesbury.

Phillip Howard, Eſq;
Sir Edward Pool, Kt.

Borough of Cricklade.

Sir George Hungerford, Kt.
Sir John Earnely, Kt.

Borough of Great Bedwin.

Sir John Trevor, Kt.
Henry Clerk, Eſq;

Borough of Lugderſal.

William Aſhburnham, Eſq;
Thomas Gray, Eſq;

Borough of Old Sarum.

Edward Nicholas, Eſq;
Sir Eliab Harvey, Kt.

Borough of Wooten Baſſet.

Sir Walter St. John Bar.
John Pleydal, Eſq;

Borough of Marleborough.

John Lord Seymour.
Jeoffery Daniel, Eſq;

Worceſter.

Sir John Packington, Bar.
Samuel Sandys Sen. Eſq;

City of Worceſter.

Sir Rowland Berkly, Kt.

Thomas Street, Esq;

Borough of Droitwich.

Henry Coventry, Esq;
Samuel Sandys, Jun. Esq;

Borough of Evesham.

Sir John Hanmer, Kt.
Sir James Rushout, Kt.

Borough of Bewdly.

Sir Henry Herbert, Kt.

York.

Conyers Darcy, Esq,
Sir Thomas Slingsby, Kt.

City of York,

Sir Metcalf Robinson, Kt.
Sir Thomas Osborn, Bar.

Town of Kingston upon Hull.

Anthony Gilby, Esq;
Andrew Marvel, Gent.

Borough of Knaresborough.

Sir John Talbot, Kt.
William Stockdale, Esq;

Borough of Scarborough.

Sir Phillip Munckton Esq;
William Thompson, Esq;

Borough of Rippon.

Sir Jo. Nicholas, Kt. of the Bath.

Tho-

Thomas Burwell, Dr. of Laws.

Borough of Richmond.

Sir William Killegrew, Kt.
Marmaduke Darcy, Esq;

Borough of Heydon.

Henry Guy, Esq;
Sir Hugh Bethel, Kt.

Borough of Burrowbridge.

Sir Rich. Malevere, Kt. and Bar.
Robert Long, Esq;

Borough of Malton.

William Palmes, Esquire.
Sir Thomas Gowre, Kt.

Borough of Thirske.

Sir Thomas Ingram, Kt.
Will. Franklin, Esquire.

Borough of Aldborough.

Sir Soloman Swale, Bar.
Sir Francis Goodrick, Kt.

Borough of Beverley.

Michael Wharton, Esquire.
Sir John Hotham, Bar.

Borough of North-Allerton.

Sir Gilbert Gerard, Kt. and Bar.
Roger Talbot, Esquire.

Borough of Ponfract.

Sir John Dawney, Kt.
Sir William Lowther, Kt.

Barons of the Cinque Ports.

Port of Haſtings.
Edward Waller Eſquire.
Sir Denny Aſhburnham Bar.

Town of Winchelſea.
Francis Finch, Eſquire.
Robert Auſtin, Gent.

Town of Rye.
Sir John Robinſon, Kt. and Bar.
Sir Jo. Auſtin, Bar.

Port of New Rumney.
Sir Charles Sidley, Bar.
Sir Norton Knatchbull, Bar.

Port of Hyth.
John Harvey, Eſquire.
Sir Henry wood, Kt. and Bar.

Port of Dover.
George Montague, Eſquire.
Edward Lord Hinchenbroke.

Port of Sandwich.
Jo. Strode, *E*ſquire.
James Thurbarne, *E*ſquire.

Port of Seaford.
Sir William Thomas, Kt. and Bar.
Nicholas Pelham, *E*ſquire.

WALES.

WALES.

Angleſey.

Nicholas Bagnall, *Eſquire.*
Town of Bewmorris.
John Robinſon, *Eſquire.*

Brecon.

Edward Progers, *Eſquire.*
Town of Brecon.
Sir Herbert Price, Bar.

Cardigan.

Edward Vaughan, *Eſquire.*
Town of Cardigan.
Sir Charles Cotterel, Kt.

Carmarthen.

Sir Henry Vaughan, Kt.
Town of Carmarthen.
John Lord Vaughan, Knight of the Bath.

Carnarvon.

Sir Richard Wynne, Bar.
Town of Carnarvon.
William Griffith, *Esquire.*

Denbigh.

John Wynne, *Esquire.*
Town of Denbigh.
Sir John Salisbury, Bar.

Flint.

Sir Thomas Hanmer, Bar.
Town of Flint.
Roger Whitely, *Esquire.*

Glamorgan.

Sir *Edward* Mansel, Bar.
Town of Cardiffe.
Robert Thomas, *Esquire.*

Merioneth.

Henry Wynne, *Esquire.*

Pem-

Pembroke.

Arthur Owen, *Eſquire.*

Town of Haverdford-Weſt.

Sir Frederick Hyde, Kt.

Town of Pembroke.

Rowland Lagherne, *Eſquire.*

Montgomery.

Andrew Newport, *Eſquire.*

Town of Montgomery.

Henry Herbert, *Eſquire.*

Radnor.

Sir Richard Lloyd, Kt.

Town of Radnor.

Sir *Edward* Harley, Kt. of the Bath.

Note that ſome Knights and Burgeſſes being lately deceaſed, others are not yet elected in their Room.

Of

Of the Executive Power in Temporal matters.

A Brief account of the Legislative power in Temporall affairs, having been given, next may be considered the Executive power in those affairs, and that is generally in the King, he is the Fountain of Justice; he is the Fountain of Justice; he is the Lord Chief Justice of *England*; and therefore as all the Laws of *England* are called the Kings Laws, because he is *Caput, Principium, & Finis Parliamenti*, by which the Laws are made, and that nothing can have the Force of a Law, but what he wills; so all the Courts of Judicature are called the Kings Courts, and all the Judges of those Courts are called the Kings Judges.

The highest Court of Judicature in *England* is the House of Lords in Parliament; so that the Parliament is not only *Concilium*, but *Curia*, a Court of Judicature, consisting as aforementioned, of all the Lords Spiritual and Temporal, as Judges; and these assisted with the most grave and eminent Lawyers of *England* both in Common and Civil Law.

To the Judicature of this Supreme and most Honourable Court, all other Courts and Persons that are Subjects of *England*, are Subject and accountable for all Crimes

not

not properly tryable, remediable, or puniſhable in other inferiour Courts of Juſtice; and to this Court all laſt Appeals are to be made, and from whoſe Sentence there lies no appeal, but to a ſucceeding Parliament; and this ſupreme Judicatory or Judicial Power lyes only in the King and Houſe of Lords; and at the Bar of this High Court may the Houſe of Commons, as the Grand Inqueſt of the Nation, impeach the higheſt Subject of *England*, whether of the Clergy, or of the Laity, and proſecute them till it come to a Sentence, after which there can be no farther proceeding, till the King informed of the whole matter, gives His Royal Aſſent for the Execution of the ſaid Sentence, or grant His gracious Pardon.

In the late Long Parliament, the Houſe of Commons pretended to be alſo a Court of Judicature, and at length uſurped a moſt exorbitant power to the total ruine of Monarchical Government, and it is worth obſerving by what Gradations they arrived thereto. In the time of Queen *Elizabeth*, and not before, the Commons began to take upon them (as ſaith Mr. *Pryn*, a learned Member of that Houſe) to ſeclude one another for undue Elections; whereas formerly the King and Lords were accounted the ſole Judges of all Members of the Commons Houſe, and to have the ſole power to judge of their undue Elections, Returns, Miſdemeanors, Breaches of Priviledges, and of all other mat-

matters concerning their Membership; also for freeing any Member from Arrest or Imprisonments, did wholely and solely belong to the Lords, and not to the Commons, unless it were by special order referred by the Lords to the House of Commons, as heretofore sometimes hath been done.

In the time of King *Charles* the Martyr the Commons went farther, took upon them utterly to expel out of their House some of their fellow Members, as Projectors and Monopolizers, although they had been duly elected: After this in the same Kings time, they expelled all such as adhered in Loyalty to the King; next they secluded and imprisoned all such as the Officers of the late rebellious Army impeached, or disliked; then by the help of that Army, 50 or 60 of the Members of that House expelled all the rest of their fellows, and soon after, voted down the King and whole House of Lords, and voted themselves to be the Parliament; to be the sole Legislators and the Supreme Authority of *England*; into such a prodigious height of folly and impiety do men run, when they once allow themselves to pass their due limits.

Of

Of the Court of Juſtice called the Kings-Bench.

FOr the Execution of Laws, after the Houſe of Lords in Parliament, the higheſt Court in *England* is the Kings Bench ſo called, becauſe anciently the King ſometimes there ſate in perſon on a high Bench, and his Judges on a low Bench at his Feet, to whom the Judicature belongs in the abſence of the King.

In this Court are handled the Pleas of the Crown, all things that concern loſs of life, or member of any Subject; for then the King is concerned, becauſe the Life and Limbs of the Subject belong only to the King, ſo that the Pleas here are between the King and the Subject. Here are alſo handled all Treaſons, Felonies, Breach of Peace, Oppreſſion, Miſgovernment, *&c.* This Court moreover hath power to examine and correct all Errors *in facto & in jure* of all the Judges and Juſtices of *England* in their Judgements and Proceedings, and this not only in Pleas of the Crown, but in all Pleas Real, Perſonal, and mixt, except only in the Exchequer.

In this High Court ſit commonly Four Grave Reverend Judges, whereof the Firſt is ſtiled the Lord Chief Juſtice of the Kings Bench, and is created not by Patent, but by

by a short Writ, thus. *Johanni Keeling Militi salutem. Sciatis quod constituimus vos Justiciarium nostrum Capitalem ad placita coram nobis tenenda, durante beneplacito nostro: Teste me ipso apud Westm.*

The rest of the Judges of the Kings Bench hold their places by Letters Patents in these words, *Rex omnibus ad quos præsentes literæ pervenirint salutem. Sciatis quod constituimus dilectum & fidelem Richardum Rainsford Militem, unum Justiciariorum ad placita coram nobis tenenda, durante beneplacito nostro. Teste, &c.*

These Judges and all the Officers belonging to this Court have all Salaries from the King, and the chief of them have Robes and Liveries out of the great Wardrobe.

In this Court all young Lawyers that have been called to the Bar are allowed to plead and practice.

This Court may grant Prohibitions to keep other Courts, both Ecclesiastical and Temporal within their Bounds and due Jurisdiction.

The Jurisdiction of this Court is general, and extendeth to all *England*, is more uncontroulable than any other Court; for the Law presumes that the King is alwayes there in person.

None may be Judge in this Court, unless he be a Serjeant of the Degree of the Coif, that is a Serjeant at Law, who upon taking this high Degree is obliged to wear a Lawn Coif under his Cap for ever after.

A

A List of the several Officers belonging to His Majesties Court of Kings-Bench.

LOrd Chief Justice Sir *John Keeling*, Knight.

Justices are Sir *Thomas Twisden*, Knight and Baronet; Sir *Richard Rainsford* Knight; Sir *William Morton*, Knight.

Clerk of the Crown, Sir *Thomas Fanshaw* Knight, his Secondary *Jasper Waterhouse*, Esquire.

Protonotary, Sir *Robert Henley* Knight, his Secondary *William Livesay*, Esquire.

Marshal or Keeper of the Kings Bench Prison, *Stephen Mosedell*, Esquire.

Custos Brevium, *Justinian Paget* Esquire.

Andrew Vivean, and *Francis Woodward*, Clerks of the Paper-Office.

Sealer of the Writs, *Edward Coleman*.

Gilbert Barrel Clark of the Rules.

Clerk of the Errors, *Henry Field*.

George Bradford Clerk for Filing Declarations, a Cryer, Porter, and some other inferiour Officers.

Then there are Filacers for the several Counties of *England*, whose Office is in this Court to make out all Process upon original Writs, as well real as personal, and mixt. They were lately these that follow:

Hum-

Humphrey Ironmonger, Edward Parnel, James Buck, Samuel Astrey, Francis Greg, John Hynde, Thomas Stone, Thomas Leach, Gilbert Eveleigh, Henry Ewin, Joshua Langrige, William Oglethorp, John Philips, William Osborn, Rob. Hyde, and *Anthony Rouse.*

The manner of Tryals in this and all other Common Law Courts in *England*, being different from that of all other Countries, and peculiar to *England*, shall be at large described apart in a Chapter with other peculiars.

Of the Court of Common Pleas.

THe next Court for execution of Laws is the Court of Common-Pleas, so called, because there are debated the usual Pleas between Subject and Subject. Some say this Court as well as other Courts, were at first held in the Kings House wheresoever he resided; but by the Statute of *Magna Charta* it was ordained, that this Court should not be ambulatory, but be held at a certain place, and that hath ever since been in *Westminster-Hall.*

None but Serjeants at Law may plead in this Court, and so many of them as the King shall appoint, are bound by oath to assist all that have any Cause depending in that Court.

This

This Court may grant prohibitions, as the Court of the Kings Bench doth.

The chief Judge in this Court is called the Lord Chief Juſtice of the Common-Pleas, or of the Common-Bench; holdeth his place by Letters Patent *durante beneplacite*, and ſo do the other inferiour Judges of this Court whereof there are commonly three.

In this Court all Civil Cauſes Real and Perſonal are uſually tryed according to the ſtrict Rule of the Law.

Real Actions are pleadable in no other Court, nor Fines levyed, or Recoveries ſuffered but only in this Court at *Weſtminſter*.

The King allows to the Lord Chief Juſtice of this Court a Fee, Reward, Robes, and two Tun of Wine, as is done to the Lord Chief Juſtice of the other Bench; alſo to the other Judges of this Court, and to four Serjeants, is allowed Fees, Reward, and Robes to each one.

In the 11th and 12th of *Edward* 3. there were eight Judges belonging to the Common Pleas, at other times ſeven, ſix, and five, and ſo in the time of *Henry* 6. and *Edward* 4. but ſince uſually but four, as at this day.

Before the Reign of Queen *Mary*, theſe, and the reſt of the twelve Judges rode upon Mules, and not upon Horſes, as they now do, in great State at the beginning of the Term.

A

A List of the several Officers belonging to His Majesties Court of Common-pleas.

LOrd Chief Justice Sir *John Vaughan*, Kt. Sir *Thomas Tyrrel*, Kt. Sir *John Archer*, Kt. Sir *William Wylde*, Kt. and Bar. these are the present Judges of that Tribunal.

Then there is an Officer called *Custos Brevium*, the first Clerk of the Court, whose Office it is to receive and keep all Writs returnable in that Court, to receive of the Protonotaries, all the Records of *Nisi Prius* called *Postea's*. He holdeth his Place by Patent from the King, and hath the Gift of the second Protonotary's Place, and of the Clerk of the Juries. Sir *Joseph Ash* hath this Office, and doth execute it by his Deputy *Thursby* Esquire.

There are three Protonotaries, a word compounded of Greek and Latin (which with the Antients was usual) and signifies the first Notaries: they are chief Clerks of this Court, and by their Office are to enter and inroll all Declarations, Pleadings, which the Filazers did formerly promiscuously do, Assises, Judgments, and Actions, to make out Judicial Writs, *&c.* These considerable Offices are in the hands of *Thomas Robinson*, *Alan Lockhart*, and *Humphrey Wirley* Esquires. The Chirographer (also from two Greek words signifying to acknowledge a Debt by setting ones

ones hand) is an Officer who ingroſſeth Fines acknowledged, *&c.* He holdeth his Place alſo by Patent, and is at preſent Mr. *Sparks* in truſt for Sir *William Drake*, who doth execute it by a Deputy Mr. *Wayt.*

All theſe Officers aforementioned ſit in the Court covered with black round knit Caps, according to the mode immediately before the invention of Hats, which was ſince the beginning of the Reign of Queen *Elizabeth.* Moreover they are all ſworn, and have their Offices for life as a Freehold.

There are in this Court 3 Officers unſworn, and hold their Places *durante bene placito*; One Clerk of the Treaſury, *Mr. George Ingram*, who hath the charge of keeping the Records of this Court, and makes out all Records of *Niſi Prius*, and divers other things. This Office is in the Gift of the Lord Chief Juſtice. 2. Clerk of the Inrolements of Fines and Recoveries, who is by Statute under the three puiſne Judges of this Court, and removeable at their pleaſure. Note that the Inrolement of Fines and Recoveries, or any part thereof by *Stat* 23 *Eliz. cap.* 3. is of as good force and validity in Law to all intents and purpoſes, for ſo much of any of them ſo inrolled, as the ſame being extant and remaining, were or ought by Law to be: The general neglect whereof in this Kingdom hath occaſioned many Law Suits, and hath proved in proceſs of time exceeding dangerous to many mens Eſtates. 3. The Clerk

Clerk of the Outlawries, *Mr. Annuel*; who makes out the Writs of *Capias Utlagatum*, after the Outlawry in the name of the Kings Atturney, whose Deputy he is *pro tempore*.

There are five Clerks more, 1. Clerk of the Kings Silver, *Henry Nurse* Esquire, unto whom every Fine or Final Agreement in sale of Lands is brought, after it hath been with the *Custos Brevium*, and to whom Money is paid for the Kings use. 2. Clerk of the Warrants, *Mr. Thomas Brown*, executed by a Deputy *Mr. James Mayo*, who entreth all Warrants of Atturney for Plaintiff and Defendant. 3. Clerk of the Juries, *Mr. John Green*, who makes out the Writs called *Habeas Corpora* and *Distringas* for appearance of the Jury either in this Court, or at the Assises in the Country. 4. Clerk of the Essoins or Excuses for lawful cause of absences, *Mr. Pawnley*. 5. Clerk of the *Supersedeas*, Mr. *Abbot*, which is held by Patent, but before King *James* time made by the Exchequer.

In this Court are also Filazers for the several Counties of *England*, so called from the French *Fil*, a Thred, because they file their Writs. These make out all Process upon Original Writs, and do many other things too long to be here set down, of these there are 14. *viz.* *Fabian Philips* Esquire, who hath *London*, *Middlesex*, *Huntington*, and *Cambridge* Shires. The rest of the Counties are divided amongst

these

theſe that follow, Sir *Roger Hill*, *Henry Dutton*, *Spicer*, *Grey*, *Fr. Hill*, *Robert Child*, *Charles Clare*, Sir *Thomas Stringer*, *Thomas Child*, *Bennet*, *Mark Hildeſley*, *Herbert*, *Matthews*, and *Hughes*, who is Protonatory Filazer, and Exigenter of *Monmouth* by Patent, the reſt in the Giſt of the Lord Chief Juſtice, and hold for life.

There are alſo four Exigenters, whoſe Office it is to make all Exigents and Proclamations in all Actions where proceſs of Outlawry doth lye. This Writ is called an Exigent, becauſe it exacteth the Party, that is, requireth his appearance to anſwer the Law, and lies againſt a Tranſgreſſor of the Law that cannot be found, nor any of his Goods within the County; ſo that after ſummons by the Sheriff at five ſeveral County Courts, if he appear not, he is outlawed. The four Exigenters at preſent are, *William Petty*, *John Dawling*, *Charles Clare*, and *Silveſter Petty* all in the Giſt of the Lord Chief Juſtice, and are for life.

There are alſo belonging to this Court four Cryers and a Porter.

Of the Court called the Exchequer.

THe next Court for Execution of Laws is that called the *Exchequer*, ſo called as ſome think, from a Chequer-wrought Carpet, covering the great Table in that Court, as the Court of Green Cloth in the Kings houſe is ſo called from the Green Carpet, or elſe from the French word *Eſchequier* a Cheſs board, becauſe the Accomptants in that Office were wont to uſe ſuch Boards in their Calculation. Here are tryed all cauſes which belong to the Kings Treaſury or Revenue, as touching Accounts, Diſburſements, Cuſtoms, and all Fines impoſed upon any man. In this Court may ſit the Lord Treaſurer, the Chancellor of the Exchequer, the Lord Chief Baron, and four other Learned Judges called Barons of the Exchequer, and one other Curſitor Baron, but the two firſt ſeldom ſit, and the five laſt Seldom fail. The firſt of theſe five is the Principal Judge of this Court, and anſwers the Bar or the Bariſters, who direct their Speech to him, takes Recognizances for the Kings Debts, *&c.* It is an Office of High Honour and Profit, he is ſtyled Lord Chief Baron, is Created by Letters Patents to hold this Dignity, *Quam diu bene*

bene ſe geſſerit, wherein he hath a more fixed eſtate then the Chief Juſtices of either Bench, for the Law intends this an Eſtate for Life; in the abſence of the Lord Chief Baron, the other three Barons ſupply his place, according to their Seniority, but the fifth is ſaid to be a Curſitor of the Court, and adminiſters the Oaths to the Sheriffs, Under-Sheriffs, Baylifs, Searchers, Surveyors, *&c.* of the Cuſtom-houſe

In the Exchequer are held two Courts, one of Law, another of Equity.

All Judicial Proceedings according to Law are *coram Baronibus*; but the Court of Equity held in the Exchequer Chamber is *coram Theſaurario, Cancellario, & Baronibus.* This Court had its beginning *primo Ph. & Mar.*

The Authority of this Court is of original jurisdiction without any Commiſſion.

Note alſo, that all the other forementioned Courts were not Inſtituted by any Statute or written Law, but have their Original from the antient Cuſtom of the Kingdom.

For a long time after the Conqueſt; there ſat in the Exchequer, both Spiritual and Temporal Barons of the Realm, and in later times there ſate in their places others that were not Peers of the Realm, yet ſtiled Barons *quia ibi ſedere ſolebant Barones.*

All the Twelve Judges belonging to theſe High

High Tribunals ſit in Robes and Square Caps, like thoſe Doctors of Divinity, becauſe (as ſome ſay) they were antiently moſt commonly Clergy-men and Doctors, Biſhops, or Prelates.

A Liſt of the ſeveral Officers belonging to His Majeſties Court of Exchequer.

In the Upper Exchequer.

THe Kings Remembrancer *Thomas* Lord Vicount *Fanſhaw*, in whoſe Office are 8 ſworn Clerks, whereof *John Payn* and *Thomas Hall* Eſquires, at preſent are the two Secondaries; the reſt are *Anſel Beaumont*, *Hugh Frankland*, *Butler Buggin*, *George Wats*, *Nicholas Sanders*, &c.

In this Office paſs all the Accounts concerning the Kings Revenue, for Cuſtoms, Exciſe, Hearth-money, Subſidies, and all Ayds granted to the King in Parliament, and all other Accounts of what nature ſoever concerning the Kings Revenue either certain or caſual. All Securities either by Bond or Recognizances to the Kings Majeſty for any of his Debts are taken here. All Proceedings upon any Statute by Information for Cuſtom Exciſes, or any other penal Law. All proceedings

dings upon the ſaid Bonds or Recognizances, or any other Bonds taken in the Kings name, by Officers appointed thereunto under the Great Seal of *England*, and tranſmitted into this Office for recovery thereof. From hence iſſue forth Proceſs to cauſe all Accountants to come in and account. In the Court of Exchequer there being a Court of Equity, all proceedings touching the ſame are in this Office, with many other things concerning the Kings Revenue. This Office is in the Kings Gift.

Next is the Lord Treaſurers Remembrancer, *John Osburn* Eſquire, whoſe Office is to make Proceſs againſt all Sheriffs, Receivers, Bailiffs, &c, for their Accounts, and many other things of moment, as Eſtreat-Rules, all Charters and Letters Patents, whereupon any Rents are reſerved to the King. In this Office there were heretofore twelve ſworn Clerks, whereof the two firſt were called Secondaries; but ſince the Tenures were taken away, the ſaid Office is declined, and the number of Clerks diminiſhed. This Office alſo is in the Kings Gift.

Clerk of the Pipe is Sir *Robert Crook* Knight, who hath all the Accounts and Debts due to the King, drawn down out of the Remembrancers Office, and chargeth them down in the Great Roll or Pipe, and therefore probably was it called the Pipe Office. He hath under him eight ſworn Clerks, *William Burnet* Eſquire, chief Secondary, *Nicholas Highmore*, *Wil. Satterthwayte*,

terthwayte, *Burnet* Junior, *Caryl*, *&c.* Here also Accountants have their *Quietus est*, and here are made Leases of extended Lands.

Comptroller of the Pipe, *Brewster* Esquire, who writeth out Summons twice every year to the High Sheriffs, to levy the Farms and Debts of the Pipe: he also keepeth a controlment of the Pipe, that is, keepeth a Roll of the Pipe Office Accounts, whereby to discover any thing that shall be amiss.

Clerk of the Pleas is *Richard Beresford* Esquire, in whose Office all the Officers of the *Exchequer* and other Priviledged persons, as Debtors to the King, *&c.* are to have their Priviledge to plead and be impleaded, as to all matters at the Common Law. And the proceedings are accordingly by Declarations, Pleas and Tryals as at the Common Law, because they should not be drawn out of their own Court, where their attendance is required.

Forrein *Opposer* is *Charles Whittaker*, Esquire, whose Office is, whereunto all Sheriffs repair, to be by him opposed of their *Green Wax*, and from thence is drawn down a Charge upon the Sheriff, to the Clerk of the Pipe, this Office is kept in *Greys-Inn*.

Clerk of the *Estreats*, *Williams*, Esquire, whose Office is to receive every Term, the Estreats or Extracts out of the Office of the *Remembrancer* of the Lord Treasu-

Treaſurer; and to write them out, to be levied for the King alſo, to make Schedules for ſuch Summs, as are to be diſcharged.

Auditors of the Impreſt, *Bartholemew Beal*, and *Robert Wylde* Eſquires who *audit* the great accounts of the Kings Cuſtoms, Wardrobe, Mint, Firſt Fruits, and Tenths, Naval and Military Expences, Moneys impreſted, *&c.*

Auditors of the Revenue there are ſeven: Sir *Edmond Sawyer*, Kt. *John Philips* Eſq; Sir *Joſeph Seymour*, Kt. *Aldworth*, *Parſons*, *Morice*, Eſquires, and Sir *William Godolphin*, Kt. Theſe *audit* all the accounts of the Kings other Revenue, that ariſeth by *Aydes* granted in Parliament.

Remembrancer of Firſt Fruits and Tenths, *James Roger* Eſq; whoſe Deputyes *George Farrington*, and *William Prettyman*, take all Compoſitions for Firſt Fruits and Tenths, and make proceſs againſt ſuch as pay not the ſame, this Office is kept in *Hatton Garden*.

There are alſo two other conſiderable Officers, called Deputy Chamberlains, Mr. *Vines* and Mr *Lawrence*, in whoſe Office at *Weſtminſter* are preſerved all the Counterfoyles of the Talleys, (whereof more anon) ſo exactly ranged by Months and years, that they may preſently be found out, to be joyned with their reſpective Stock or Tally when thereunto required, which being done and proving true, they deliver the ſame, atteſted for a law-

ful Tally; to the Clerk of the Pipe, for to be allowed in the Great Roll, but in caſe any corruption hath been uſed, the ſame is eaſily and ſoon diſcovered, and the Offender ſeverely puniſhed by Fine and impriſonment.

There are alſo divers other Officers, as Clerk of the Parcels, Clerk of the Nichils, Marſhals, Uſher of the Exchequer, whoſe Office is executed by a Deputy, alſo 4 under Uſhers.

Of the other part of the Exchequer, called by ſome the Lower Exchequer, where the Kings Revenue is received and diſburſed, with admirable Order and Frugality.

THe Principal Officer is the Lord *Treaſurer*, of whom *ſee the Firſt Part of the Preſ. State of* England.

Since the Death of the Earl of *Southampton*, 1667. This great Office hath been in the hands of five Commiſſioners: Now there are but three Commiſſioners, the Lord *Aſhley*, Sir *Thomas Clifford*, and Sir *John Duncomb*, who execute the ſame at *Whitehall*. They have each one a conſidera-

ſiderable Salary from the King. There is one Secretary, Sir *George Downing*, Knight and Baronet.

Next is the Chancellour of the *Exchequer*, who is alſo an Officer of great Account and Authority, he hath a principal power, not onely in the Exchequer Court, but alſo here in the managing and diſpoſing of the Kings Revenue: he hath alſo the Cuſtody of the Exchequer Seal. This Office is injoyed by the forementioned Lord *Aſhley*.

Then there are two Chamberlaines of the Exchequer, Sir *Nicholas Steward*, and *Mr. Hyldiard*, in whoſe Cuſtody are all Antient Records, Leagues and Treaties with forreign Princes, the Standards of Moneys, Weights and Meaſures, thoſe antient famous Books, called Doomes-day, and the Black book of the *Exchequer*, whereof the former is *Liber Cenſualis totius Angliæ*, the Tax Book of *England*, made by *William* the Conqueror, wherein is deſcribed all the Lands of *England*, with the true value, and their Owners name, it was ſix years in making, *viz.* from the 14th to the 20th year of that King, and called at firſt *Rotulus Wintoniæ*, but ſince named *Doomes-day Book*, becauſe therein was ſet down an exact Account, not onely of all the Cities, Towns, and Villages of *England*, but the number of Families of Men, Souldiers, Husbandmen, Bondmen, Servants, Cattle; how much mony, what Rent, how much Meadow, Paſture,

Woods, Tillage, Common, Marsh, Heath, every one possessed: and when any one cited, or any difference arose about those things or Taxes, *&c.* there was no place for denying or deceiving the King (whereof many men ever made little Conscience, though all good Christians ever counted it a grievous and hainous sin) when this Book was opened, like as it will be at the opening of the Book at the great day of doom, or general Judgment of the World. This Book is kept under three Locks and Keys, not to be lookt into under 6 s. 8 d. and for every line transcribed is to be paid 4d.

Next is the *Auditor* of the Receipts, Sir *Robert Long*, whose Office is to file the Bills of the Tellers, whereby they charge themselves with all moneys received, and to draw all Orders to be signed by the Commissioners of the Treasury, for issuing forth all moneys by vertue of Privy Seals, which are recorded and lodged in his Office. He also makes debentures to the several Persons, who have Fees, Annuities, or Pensions by Letters Patents from the King out of the Exchequer, and directs them for payment to the Tellers. He receives every week the state of the account of each Teller, and also weekly certifies the whole to the Commissioners of the Treasury, who immediately present the estimate or Ballance to the King. He takes the Tellers Accounts in gross at *Easter* and *Michaelmas*. By him are kept the several

veral Regiſters appointed for paying all perſons in courſe upon ſeveral Branches of the Kings Revenue. He is *Scriptor Taliorum* hath five Clerks to manage the whole eſtate of Moneys received, diſburſed, and remaining.

Next there are four Tellers, *Laurence Squib*, *John Loving* Eſquires, Sir *George Downing* aforementioned, and Sir *William Doily* Kt. Their Office is to receive all moneys due to the King; and thereupon to throw down a Bill through a Pipe into the Tally Court, where it is received by the Auditors Clerk, who there attends to write the words of the ſaid Bill upon a Tally, and then deliver the ſame to be entred by the Clerk of the Pells, or his under Clerk, who there attends to enter it in his Book: then the Tally is cloven by the two Deputy Chamberlains, who have their Seals, and while the Senior Deputy reads one part, the Junior examines the other part with the other two Clerks.

Clerk of the Pells is *William Wardour* Eſquire, whoſe Office is to enter every Tellers Bill into a Parchment skin, (in Latin *Pellis*, whence this Office hath its name,) all receipts and payments for the King, for what cauſe, or by whom ſoever, and is in nature of a Comtroller, hath four Clerks, whereof one is for the *Introitus*, and another for the *Exitus*. Moreover he is to make weekly, and half yearly Books, both of the Receipts and Payments, which are delivered to the Commiſſioners of the Treaſury.

In the Tally Court sit the Deputies of the two Chamberlains *Edward Faulconbridge* and *John Low* Esquires, who cleave the Tallies, and examine each piece a part.

A Tally in the Exchequer from the French Verb *Tailler*, to cut, is a very antient and most certain way of avoiding all cozenage in the Kings Revenue; the like no where else in Christendom, and is after this manner.

He that payes the King any moneys, receives for his Acquittance a Tally, that is, the one half of a stick cloven with certain proportionable Notches thereon, expressive of the sum from the said Deputy Chamberlains, who keep the other cloven part of the stick called the Foyl, and deliver it to the Tally-Joyners on the other side of the Exchequer, who are also Deputies to the Chamberlains, and they joyn it with the Foyl, which agreeing, they give it their Test, and send it by an Officer of their own to the Pipe where their *Quietus est* is engrossed in Parchment.

Other Officers in the Exchequer are the two Ushers, *Robert* and *Philip Parker* Esquires, whose Office is to take care to secure the Exchequer by day and by night, and all the Avenues leading to the same, and to furnish all necessaries, as Books, Paper, *&c.*

There

There is alſo a Tally Cutter, and four Meſſengers.

By long continuance, and the wiſeſt contrivances that the ableſt men of many ages could invent, the Exchequer of the King of *England* is become the beſt ordered publick Revenue in the world.

Though the number of Officers in the Exchequer is far greater than in any other of the Kings Courts, yet not near ſo great as the Financiers and other Officers belonging to the Revenues of the French King, who are ſo many, that their Fees eat up three parts in four of the whole Revenue: whereas for rewarding all the Officers in the Engliſh Exchequer, whereof moſt are ever perſons of Eſtates, Parts, and great Integrity, it coſts the King a very inconſiderable ſum of money, as will eaſily appear to any one who ſhall conſider that in caſe of a giſt from the King of Moneys or Penſion out o his Exchequer, he that receives it pays but 5 *l. per cent.* amongſt the Tellers, Auditors, Clerk of the Pells, and their Clerks, and to all other Officers whatſoever; and which is remarkable, there goes not amongſt the ſaid Officers and Clerks ſo much as 5 *s. per cent.* out of publick Payments, as for the Navy, Ordnance, Wardrobe, Mint, to the Cofferer, Treaſurer of the Chamber, *&c.*

In caſe of Moneys paid in by any of the Kings Tenants, Receivers, it coſts them ſometimes but ſix pence, and at moſt but 3 *s.* for every payment under a thouſand

pounds; and that goes only to the Clerks for their pains in writing and attending.

The bringing in of all moneys to the King costs his Majesty amongst Receivers, Collectors, and all others in the Country not above 2 *s.* in the pound; and at his Exchequer it costs him in a manner nothing at all; for the Tellers, who are bound to the King in 20000 *l.* security, for the true discharge of their great trusts, have under 33 *l. per an.* for their Salary from the King, and the two Clerks of each Teller, who constantly attend their Offices, have nothing at all from the King.

The Court of the Dutchy of Lancaster.

THere is another Court at *Westminster*, called the Court of the Dutchy of *Lancaster*, which takes Cognizance of all Causes that any way concern the Revenue belonging to that Dutchy, which hath been long since annext to the Crown.

The chief Judge of this Court is the Chancellor of the Dutchy, who is assisted by the Atturney of the Dutchy. There are divers other Officers of this Court, a list of whose Names here follow.

Sir *Thomas Ingram*, Chancellor, and one of His Majesties most honourable Privy Council. Sir *John Heath*, Atturney

ney Genera. Sir *John Curzon*, Receiver General: Sir *Thomas Trevor*, Knight of the Bath, and *John Fanſhaw* Eſq; Auditors. Sir *Gilbert Gerard*, Clerk of the Dutchy; *Thomas Desborough*, Meſſenger: This Court is kept at *Weſtminſter* by the Lower Exchequer, and the Office of Sir *Gilbert Gerard* at *Grays Inn*.

Of the High Court of Chancery

NExt to the Kings Bench in *Weſtminſter-Hall*, is wiſely placed this High Court, to mitigate the Rigour of that; it is called *Curia Cancellariæ*, as ſome judge, becauſe as ſome think, the Judge of this Court ſate antiently *intra Cancellos* or *Lattices*, as the Eaſt end of our Churches being ſeperated *per cancellos* from the body of the Church, as peculiarly belonging to the Prieſt, were thence called Chancels.

This Court is the *Officina Juſticiæ*, the Womb of all our Fundamental Laws, the Fountain of all our proceedings in Law, the Original of all other Courts. It is as antient as the Civility of the Nation, though perhaps by another name.

This Court proceeds either ordinarily, according to the Laws, Statutes, and Cuſtomes

tomes of the Nation, and in Latin, granting out Writs, mandatory, and remedial; Writs of Grace, or else according to Equity and Conscience, and by English Bill, so that the Chancery hath two Courts in one, the equitable part, is by Bills, Answers and Decrees to examine Frauds, Combinations, Trusts, secret uses, *&c.* to moderate the Rigour of the Laws, and rescue men out of the hands of their Oppressors. To relieve a man, especially in three things, *viz.* against Cheats, unfortunate accidents and breaches of Trust.

Out of this Court issue out Writs or Summons for Parliaments, Edicts, Proclamations, Charters, Protections, safe Conducts, Writs of *Moderata Misericordia*, when any person hath been amerced too high, and for a reasonable part of Goods for Widdows and Orphans, Patents for Sheriffs, Writs of *Certiorari* to remove Records, and false Judgements in inferiour Courts, Writs of *Audita Querela*, and *Scire facias*, here are sealed and inrolled; Letters Patent, Treaties and Leagues with forreign Princes, Deeds betwixt Party and Party touching their Lands, and Estates or Purchasers taking recognizances and making of Extents upon Statutes and Recognizances for payment of Moneys, or securing of Contracts. Writs Remedial or Magisterial, Commissions of Appeal, Oyer and Terminer, *&c.* The Court of Common Pleas, which are betwixt Subject and Subject, hath its Original

nal and Commiſſions from the Chancery, and cannot hold Pleas without it.

For the Latin part of this Court, *are the* 24 *Curſitors*; and for the Engliſh part, are the ſix Clerks.

The Court of *Equity* that proceeds not according to Law, is no Court of Record, and therefore binds onely the perſon, not his Lands or Goods.

The Judge of this Court is the Lord Chancellor, or Lord Keeper of the Great Seal of *England*. He is here the ſole Judge, whereas in other Courts there are three or four Judges, but he may and doth often in caſes of greater weight and difficulty, in caſes of Law, call ſome of the other Judges to his aſſiſtance, and therefore it is ſaid, this Office may be diſcharged by one that is no profeſſed Lawyer, as it was almoſt always antiently, and ſo of later times by Sir *Chriſtopher Hatton*, and after by Doctor *Williams* Biſhop of *Lincoln*, to their great praiſe and commendation.

It is the higheſt Dignity in *England* that a Lay-man is capable of, it is *Summum ambientis animi quaſi Solſtitium*, and the Chancellor is *Magiſtratuum omnium Antiſtes*.

Antiently, the Lord Chancellor had ſometimes his Vicechancellor, commonly called Keeper of the Great Seal, but of later times they differ onely in name.

In *France*, he that is made Chancellour is *durante vita*, his place cannot be taken away,

away, although the Seales may. It is said there, that he is so to attend to the sole Interest of the King and People, that he must not be sensible of any Relations or other consideration, and therefore he may not put himself in mourning, neither for his own Father, nor for the King himself.

Chancellours have been in *England*, as the learned *Dugdale* finds, as soon as Christianity was embraced by the *Saxons*.

The Chancellor is said to be keeper of the Kings Conscience, to judge *secundum æquum & bonum*, according to equity and conscience, he is to moderate the τὸ ἀκριβὲς δίκαιον the exact rigour and letter of the Law, whereunto other Judges are strictly tyed: for the Princes of this Realm, in imitation of the King of Kings, governing the World by justice and mercy, have erected two supreme Tribunals, together at the upper end of *Westminster-Hall*, one of Justice, wherein nothing but the strict Letter of the Law is observed, and the other of Mercy, wherein the Rigour of the Law is tempered with the sweetness of Equity, which is nothing else but Mercy qualifying the sharpness of Justice.

This Court being a Court of Conscience, the less it is perplexed with the quirks of Lawyers, the more it is guided by Conscience and Equity, and therefore the Kings of *England* would have this Court superiour to the other Tribunals, that so if any thing was done amiss by those following

ing

ing the Rigour of the Law, here good by Conſcience and Equity, it might be amended; wherein they followed the noble Pattern of the Great *Conſtantine*, *qui omnes ſuas leges imperfectas eſſe voluit ut inde ſubditi ſui appellarent ad Epiſcopos*, and therefore in all former times, the Judges of this Court were choſen out of the Clergy, able Divines, who by their skil in the Law of God, and of Nations, were beſt able to judge according to Moderation and Equity, and moſt willing to execute accordingly: alſo fitteſt to diſpoſe of the Kings ſpiritual Benefices.

Beſides when this High Office was given to Biſhops and Clergy men, in whom wealth and a publick Spirit being uſually conjoyned, what great publick Acts of Piety and Charity, were done by them for this Nation? to mention onely in *Oxford*, What noble and rich foundations are *Chriſt-church*, *Magdalens*, *New Colledge*, and *Merton Colledge*? all founded by Biſhops that were Chancellors; and on the contrary, ſince the places of Chancellor, Treaſurer, Privy Seal, *&c.* have been uſually in the Hands of Lay-men, what one great work hath been done for the Publick, but onely wealth heaped up for their own private Families.

The manner of Proceeding in this Court, is much like that in the Courts of the Civil Law, the Actions by Bill or Plaint, the Witneſſes examined in private, the Decrees in *Engliſh* or *Latin*, not in French.

No

No Jury of twelve men, but all Sentences given by the Judge of the Court.

The Chancellor or Lord Keeper hath twelve assistants, antiently called *Clerici*, or *Magistri Cancellariæ*, because they were usually in Holy Orders, and all Doctors of Laws, for Master and Doctor was antiently the same, as at this day, a Doctor in the Artsy is called *Magister in Artibus.*

The first of these is called *Master of the Rolls*, a place of great dignity, and is in the gift of the King, either for life or during His Majesties pleasure; and this Officer hath *jure Officii*, the gift of those considerable Offices of the six Clerks in *Chancery*, hath the keeping of the Rolls, hath the House of the converted Jews now called the Rolls, and in the absence of the Chancellor heares *Causes and makes Orders* by Vertue of a Commission, with two Masters and not *jure Officii*.

One reason why the Masters of Chancery were ever Civilians, may be, because for all cases almost imaginable some Law or case conformable thereunto, may be fetched by a good Civilian out of that Law of Laws, called the Civil Law. Another may be, because the Chancery more antient then in any other Court of *England* (for all Original writs and Comissions, whereupon the other Courts do ground all their proceedings do come from thence) hath probably been taken from the Civil Law, divers points of proceedings not used

uſed in Common Law Courts, as the Defendants anſwering to the Bill, and ſometimes to the Interrogatories upon Oath, though to the accuſing of a mans ſelf, in divers matters dammageable, and penal; alſo by the whole manner of publication, the depoſitions of Witneſſes, by the examining of witneſſes upon Interrogatories, and *in perpetuam rei memoriam*, by the term and uſe of final Decree, and many other points differing from the Common Law, and wholly agreeing with the Civil Law.

This Court is alwayes open, when all the others are ſhut, but onely in Term time; ſo that if a man be wrongfully impriſoned, in the Vacation time out of Term, the Lord Chancellour may grant his Writ of *Habeas Corpus*, and do him juſtice according to Law; So likewiſe may this Court grant Prohibitions in time of Vacation, as well as in Term time.

A List of the several Officers belonging to the High Court of Chancery.

SIR *Orlando Bridgman* Knight and Baronet, Lord Keeper of the Great Seal of *England*, Then the 12 Masters of the Chancery as followeth.

Sir *Harbottle Grimston* Baronet, Master of the Rolls.

Sir *William Childe* Knight, Doctor of Laws.

Sir *Justinian Lewin* Knight, Doctor of Laws.

Sir *Thomas Escourt* Knight.

Sir *Mundeford Bramston* Knight Doctor of Laws.

Sir *Nathaniel Hobart*, Knight.

Sir *William Glascock*, Knight.

Sir *John Coel* Knight.

Sir *Robert Stewart*, Knight.

Sir *Timothy Baldwin*, Knight Doctor of Laws.

Sir *Andrew Harket* Knight.

Sir *William Beversham.*

The House founded at first for the converted *Jews*, was after their expulsion out of *England*, annext for ever to the Office of Master of the Rolls, where he hath the custody of all Charters, Patents, Commissions, Deeds, Recognisances, which being

ing made up in Rolls of Parchments gave occaſion of the Name.

At preſent there are kept all the Rolls ſince the beginning of *Henry* 7. the reſt are kept in the Tower of *London*.

In his gift are beſides the ſix Clerks Offices, the Offices of the Examiners, and three Clerks of the Pettibag.

Next Clerk of the Crown, *Henry Barker*, Eſquire; this Office is of high importance; he is either by himſelf or Deputy continually to attend the Keeper of the Great Seal for ſpecial matters of State, and hath a place in the Higher Houſe of Parliament; he makes all Writs for ſummoning Parliaments, and upon a Warrant directed to him by the Speaker of the Houſe of Commons upon the Death or removal of any Member, he makes a Writ for a new Election.

Protonatary of this Court is *Robert Peſcod*, Eſquire; this Office is chiefly to expedite Commiſſions for Embaſſies.

It is executed by a Deputy.

Clerk of the *Hamper* or *Hannaper*, ſometime ſtiled Warden of the *Hannaper*. Whoſe Office is to receive all the Money due to the King for the Seals of Charters, Patents, Commiſſions and Writs, and to attend the Keeper of the Seal dayly in Term time, and at all times of Sealing, with leather bags now (but antiently probably with Hampers) wherein are put all ſealed Charters, Patents, *&c.* and then thoſe

thoſe Baggs delivered to the Comptroller of the *Hamper*. This Office is now enjoyed by *Henry Seymer* Eſquire, and executed by a Deputy.

Warden of the *Fleet*, or Keeper of the *Fleet-Priſon*, is an Office very conſiderable, and is to take care of the Priſoners there, who are commonly ſuch as are ſent thither from this Court, for contempt to the King or his Laws, or ſuch as will not pay their Debts, *&c.* The preſent Warden is Sir *Jeremy Whitchcote*: It is executed by a Deputy.

Serjeant at Armes is *Humphrey Ley* Eſq; whoſe Office is to bear a great gilt Mace before the *L*ord Keeper, *&c.*

Six Clerks are Officers of great account next in degree to the twelve Maſters in *Chancery*, whoſe Office is to inroll Commiſſions, Pardons, Patents, Warrants, *&c.* That are paſſed the Great Seal. They were antiently *Clerici*, and afterwards forfeited their places, if they did marry, till by Act of Parliament in the time of *Hen.* 8. they were allowed to take Wives.

They are alſo Atturneys for Plaintiffs and Defendants, in cauſes depending in this Court.

The preſent ſix Clerks Sir *John Marſhal*, *Matthew Pindar* Eſq; *Matthew Bluck* Eſq; Sir *Cyril Wyche*, *John Wilkinſon* Eſq; and *Edward Abney* Eſq; who ſit altogether at their Office in *Chancery Lane*.

Exami-

Examiners in *Chancery* there are two, Sir *Robert Peyton*, and Sir *Nicholas Strode*. Their Office is to examine the Witneſſes in any ſuit on both ſides on their Oaths.

This Office alſo is executed at the Rolls.

Clerks of the Petty Bag in *Chancery* are three, *Edmund Warcup* Eſq; *John Hobſon* Eſq; and *George Low*, Eſq; they are under the maſter of the Rolls. Their Office is to make all Patents for Cuſtomers, Comtrollers, all *Conge d'eſlires*, firſt ſummons of Nobility, Clergy, Knights, Citizens, and Burgeſſes to Parliament, *&c.*

The *Subpena* Office is to iſſue out Writs to call a perſon into *Chancery*.

This Office is in the hands of *Frances* Lady *Vane*, Sir *Walter Vane*, and *Charles Vane*: and executed by a Deputy.

Clerk of the Patents or of Letters Patents under the Great Seal of *England*, is Sir *Richard Pygot*, and executed by a Deputy, erected 16 *Jac.*

The Regiſter of the Court of Chancery, the Earl of *St. Albans*, under whom are three Deputy Regiſters for the Court, two Deputy Regiſters for the Rolls, two entring Clerks and a Keeper of the Books.

Curſiters Office in the *Chancery*, is to make out Original Writs, they were antiently called *Clerici de Curſu*, of theſe there are twenty four, whereof each one hath certain Counties and Cities allotted to them, into which they make out ſuch Original Writs as are required. Theſe Clerks

Clerks are a Corporation within themthemſelves, and are all perſons of Quality whoſe names follow.

The Names of the Curſiters now in being, are theſe that follow.

JOhn Symonds, *Principal.*
William Barker } *Aſſiſtants.*
Benjamin Gladman }
Henry Edmonds. Ge. Norbury. Abr. Nelſon. Rich. Plumpton. Roger Brown. John Norbury. Richard Croſs. Edmund Eyre. Will. Adderley. Abr. Skynner. Jo. Shelbury. Will. Plumpton. Thomas Fiſher. Elias Gladman. Roger Twiſden. Ben. Storke. John More. William Loe. H. Amhurſt. Philip Barecroft. Rich. Parmee, Eſquires; *who execute theſe Offices by themſelves, or by their Deputies, This Office is kept near* Lincolns Inn.

Clerk of the Preſentations of Spiritual Benefices, *Edwes* Eſquire.

Commiſſioners, Sir *George Courthop*, Sir *Edm. Turner*, *Halſal*, Eſq,

Alienation Office, *N. Crew*, Eſq,

Receiver Gen. *Joh. Nichols.*

All the forementioned Courts of Judicature at *Weſtminſter*, are opened four times the year, called the four *Termes*, *viz. Eaſter Term*, which beginneth alwayes

wayes the *ſeventeenth* day after Eaſter, and laſteth 27 dayes. *Trinity Term* begins the 5*th* day after *Trinity* Sunday, and laſteth 20 dayes. *Michaelmas Term* began heretofore a little after that Feaſt, but now by a late Statute, begins the 23 *October*, and laſteth 37 dayes. Laſtly, *Hilary Term* begins now 10 dayes after St. *Hilary* Biſhop, or the 23 of *January*, and laſteth 21 dayes; ſo in all 105 dayes, from whence muſt be deducted about 20 Sundayes and Holydayes, which are as the *Dies Neſti*, wherein the Courts ſit not: ſo that in one fourth part of the year, and that in one City, all conſiderable cauſes of the greateſt part of *England* are fully decided and determined, whereas in forreign parts the Courts of Juſtice are open all the year, except high Holydayes, and Harveſt, and that in all great Cities. This may ſeem therefore ſtrange to all Forreigners till they know that the *Engliſh* have alwayes been given more to peaceableneſs and induſtry then other people, and that rather then go ſo far as *London*, and be at ſo great Charges with Attourneyes and Lawyers, they will either refer their differences to the Arbitration of their Pariſh Prieſts, who do, or ought to think it a Principal part of their Duty to reconcile differences within their Pariſhes, or to the Arbitration of honeſt Neighbours, or elſe are content to ſubmit their differences to tryal before the Judges of *Aſſiſes* or the Itinerant Judges, who twice a year,

viz.

viz. after the end of *Hilary Term*, and after the end of *Trinity Term*, two by two of these principal Judges ride several Circuits; and at the Principal Town of every County, sit to hear and determine all Causes of lesser moment both civil and criminal, a most excellent wise Constitution begun by King *Hen.* 2. *Anno* 1176. who at first divided *England* into six Circuits (not the same that are now) and to each Circuit allotted three judges. *Wales* also is divided into two Circuits, *North* and *South Wales*, for which are designed in like manner two Sergeants at Law for each Circuit. These Judges give Judgment of the *Pleas* of the Crown and all Common Pleas within those Counties, dispatching ordinarily in two or three days all Controversies in a County that are grown to issue in the fore-mentioned Courts at *London* between Plaintiffs and Defendants, and that by their Peers: a Jury of 12 men, *ex viceneto*, out of the neighbourhood, where about the business lyes. So that twice a year, in *England* and *Wales*, Justice may be said to be rightly and speedily administred even at our own doors.

Besides, the forementioned Courts at *Westminster*, *Henry* 8. erected for the more ease of the Subject, a Court in the *North* of *England*, another for the County of *Wales* and Counties adjoyning; and intended another for *Cornwall* and *Devonshire*; and these in manner of those Courts

Courts called in *France* Parlements, where all cases might be decided both according to the Laws of *England*, and according to equity in *Chancery*: Of these Courts, that for *Cornwal* was never fully erected, those people desiring rather to come to *London* for Justice; that of the *North*, was by the late long Parliament taken away, and so was that of *Wales*; but this last since the Restauration of the King again erected. Of this Court or Council of the Marshes of *Wales* is a Lord President, at present the Lord *Vaughan*, Earl of *Carbury*, divers Councellors, Secretary, Attourney, Sollicitor, Surveyor, who have Salaries from His Majesty.

HAving given a brief Account of the Civil Government of all *England* in General; next shall be described the particular Government of Counties, Hundreds, Cities, Burroughs, and Villages.

For the Civil Government of all Counties, the King makes choice of some of the Nobility, Clergy, Gentry, and Lawyers, men of worth and parts, who have their usual residence in the County, so many as His Majesty pleaseth, to keep the Peace of the County, and these, by Commission under the great Seal, are called Justices of Peace, and such of them in whom the King doth more particularly confide

or respect, are called Justices of the *Quorum*, from those words in the Commission, *Quorum* A. B. *unum esse volumus*, that is, some business of more importance, may not be transacted without the presence or concurrence of one of them.

One of the principal Justices of Peace and *Quorum*, is by the Lord Keeper made *Custos Rotulorum*, so called, because he hath the Custody of the Rolls, or Records of the Sessions, and is to bring them to each Quarter Sessions.

The Original of Justices of Peace is from the first year of *Edward* 3.

Their Office is to call before them, examine and commit to Prison all Theeves, Murderers, wandring Rogues, those that hold Conspiracies, Conventicles, Riots, and almost all other Delinquences that may occasion the breach of Peace and quiet to the Kings Subjects; to commit all such to prison, as either cannot, or by Law are not, to be bailed (that is, cannot be set at liberty by Sureties, taken for their appearance at a place and time certain) and to see them brought forth in due time to Tryal.

Every Quarter or three months, the Justices meet at the chief or Shire Town, where the Grand Enquest or Jury of the County is summoned to appear, who upon Oath, are to inquire of all Traitors, Hereticks, Theeves, Murderers, Money-coiners, Riots, *&c.* Those that appear to be guilty, are by the said Justices committed

mitted to prison, to be tryed at the next Assises, when the Judges of *Westminster* come their Circuits aforementioned.

For execution of Laws in every County except *Westmorland* and *Durham*; the King every *Michaelmas Term*, nominates for each County, a Sheriff, that is a *Reeve* of the Shire, *Præpositus* or *Præfectus Comitatus*, a Governor or Guardian of the County, for the words of the Patent are, *Commisimus tibi Custodiam Commitatus nostri de* N.

The Sheriffs Office is to execute the Kings Mandates, and all Writs directed to him out of the Kings Courts, to empannel Juries, to bring Causes and Criminals to Tryal, to see the sentences both in Civil and Criminal affairs executed; to wait on and guard the Itenerant Judges twice a year, so long as they continue within the County, which at the Assises is performed with great Pomp, Splendor, Feasting, *&c.* In order to the better execution of his Office, the Sheriff hath attendant his Under-Sheriff divers clerks, Stewards of Courts, Bayliffs of Hundreds, Constables, Gaolers, Sergeants or Beedles, besides a gallant train of servants in rich Liveries, all on Horseback at the Reception of the Judges.

He was antiently chosen as Knights of the Shire, but to avoid Tumults it is now thus.

Every year about the beginning of *November*, the Judges Itinerant nominate

six fit men of each County, that is Kts. or Esquires of good Estates, out of these the Lords Keeper, Treasurer. Privy Councellors, and 12 Judges assembled in the Exchequer Chamber and sworn, make choice of three, of which the King himself after chooseth one to be Sheriff, for that year only, though heretofore it was for many years, and sometimes heriditary; as at this day to the *Cliffords*, who by dissent from *Robert de Vipont* are Sheriffs heriditary of the County of *Westmoreland* by Charter from King *John*.

Furthermore the Sheriffs Office is to collect all publick profits, Customes, Taxes of the County, all Fines, Distresses and Amerceaments, and to bring them into the Kings Exchequer or Treasury at *London*, or else where, as the King shall appoint.

The Sheriff of each County hath a double function, first Ministerial to execute all Processes and Precepts of the Courts of Law, and to make returns of the same. Secondly, Judicial, whereby he hath authority to hold two several Courts of distinct nature, the one called the Sheriffs *Turn*, which he holdeth in several places of the County, enquiring of all Criminal Offences against the Common Law, not prohibited by any Statute: The other called the County Court wherein he hears and determines civil Causes of the County under 40 *s*. which antiently was a considerable summe; so that by the great fall of the moneys now, the Sheriffs authority in that part is much diminished. He

He is ſaid to be the life of Juſtice; of the Law and of the County, for no ſuit begins, and no proceſs is ſerved but by him, then no Execution of the Law, but by him; laſtly he is the chief Conſervator of the Peace in the whole County. Every County being ſubdivided into Hundreds (ſo called at firſt, either for containing an hundred houſes or 100 men bound to find Armes) or Wapentakes, ſo called, from touching a weapon, when they ſwore *Allegiance* (as the manner at this day is in *Sweden*, at their ſolemn weddings for the chief witneſſes to lay all their hands upon a *Lance* or *Pike*) every ſuch Wapentake or Hundred hath commonly a Bayliff, a very antient Officer, but now of ſmall Authority: alſo Officers called *High Conſtables*, firſt ordained by the Statute of *Winchester* 13 *Edw.* 1. for conſervation of Peace and view of Armour, they diſperſe Warrants and Orders of the Juſtices of Peace to each Pety Conſtable.

There are alſo in every County two Officers, called *Coroners*, whoſe Office is to enquire by a Jury of Neighbours how and by whom any perſon came by a violent death, and to enter the ſame upon Record, which is matter Criminal, and a plea of the Crown, and thence they are called *Crowners* or *Coroners*.

Theſe are choſen by the Free holders of the County, by vertue of a Writ out of the *Chancery*. They were antiently men of eſtates, Birth and Honour; and therefore

in the Reign of *Edward* III. a Merchant being choſen a Coroner was removed, *quia communis Mercator fuit*, whereas he ought to have been a *Gentleman*, which have no Trades man is reckoned to be by our Laws.

Every County alſo hath an Officer called Clerk of the *Mercat*, whoſe Office is to keep a *Standard* of all Weights, and Meaſures exactly, according with the Kings *Standard* kept in the Exchequer, and to ſee that none others be uſed in the ſame County, to Seal all Weights, and Meaſures made exactly by the Standard in his cuſtody and to burn ſuch as are otherwiſe. He hath a Court, and may keep and hold Plea therein.

Of the Civil Government of Cities.

EVery City of *England* by their Charters or Priviledges granted by ſeveral Kings is a little Common-wealth apart, governed not as the Cities of *France*, by a Nobleman or Gentleman placed there by the King; but wholly by themſelves, they chooſe amongſt themſelves their own Governor; in Cities a Mayor is choſen, commonly out of 12 Aldermen. In ſome other Co porations, a Bailiff is choſen out of a certain number of Burgeſſes.

They

They are not taxed, but by their own Officers of their own Corporation, every trade having some of their own alwayes of the Council, to see that nothing be enacted contrary to their profit.

Every City by Charter from the King hath *haute moyenne & basse Justice*, a jurisdiction amongst themselves, to judge in all matters *criminal* and *civil*, onely with this restraint, that all *civil* causes may be removed from their Courts to the Higher Courts at *Westminster*.

The Mayor of the City is the Kings Lieftenant, and with the Alderm n, and Common Council (as it were King, Lords and Commons in Parliament) can make Laws called *By-Laws* for the Government of the City.

He is for his time (which is but for one year) as it were a Judge to determine matters, and to mitigate the Rigour of the Law.

The next in Government of Cities are two principal Officers called, though improperly, the *Shariffs*, who are Judges in *civil* causes within this City, and to see all execution done, whether *penal* or *capital*, and should rather be called *Statreeves* or *Port-reeves* (i. e.) *Urbis vel Portus Præfecti*.

In Cities the people are generally made more industrious by Manufactures, and less idleness suffered then in other places, so that in some Cities, children of six or seven years old are made to gain their own expences. In the City of *Norwich*, it hath of late

yeares

yeares been computed and found, that yearly children from 6 to 10 years of age, have gained 12 thousand pounds more then what they spend, and that chiefly by knitting fine *Jersey* Stockings.

The Government of *Burroughs*, and other Towns corporate is much after the same manner. In some, there is a Mayor, in others, one or two Bailiffs, who have equal power with a Mayor and Sheriffs, and during their Offices, they are Justices of the Peace within their Liberties, and have there the same power, that other Justices of the Peace have in the County.

For the better Government of Villages, the Lord of the place hath ordinarily power to hold a *Court-Baron*, so called, because antiently such Lords were called *Barons*, as they are still in many parts of *France*: or else *Court Baron* (i.e.) Court of *Freeholders*, as the Barons of *Germany* are called *Frey herren*; so the Barons of the *Cinq Ports* in *England* are but the Freeholders of the *Cinq Ports*. And this Court may be held every 3 weeks.

Also, for the Government of Villages there is a Pety *Constable* chosen every year, by every one that is Lord of the place: this Officer is to keep the Peace, in case of quarrels, to search any house for Robbers, Murdrers, or others that have any way broken the peace: to raise the *Hue* and *Cry* after Robbers fled away, to seize upon them, and keep them in the Stocks or other Prison, till they can bring them before some Justice

of

of Peace, to whom the Conſtables are ſubſervient upon all occaſions, either to bring crrminals before them, or to carry them by their command to the common Priſon.

Every little Village almoſt hath an *Epitome* of Monarchical Government, of Civil and Eccleſiaſtical policy within it ſelf, which if duly maintained, would render the whole Kingdome happy.

Firſt, for the *civil* Government, there is the Lord of the Soyl, who from the Crown immediately or mediately holds *Dominium ſoli*, and is ſaid to have in him the Royalty, as if he were a little King, and hath a kind of Juriſdiction over the Inhabitants of the Village, hath his *Court-Leet*, or *Court-Baron*, to which they owe *ſuit* and *ſervice*, and where may be tryed ſmaller matters happening within the Mannour, Eſcheats upon Felonies or other accidents, Cuſtody of Infants and Lunaticks, power of paſſing Eſtates and admitting of Tenants, Reliefs, Hariots, Hunting, Hawking, Fiſhing, *&c.* under the Lord, is the Conſtable or Headborough, to keep the Peace, to ſecure offenders, to bring them before the Juſtice. *&c.*

Then for the *Eccleſiaſtical* Government of Villages, there is (as before hath been mentioned) the Parſon or Vicar, who hath *Curam Animarum*, the Care of Souls (as the Lord of the Mannor hath in ſome meaſure, *Curam Corporum*) for which he hath the Tythes Glebe, and Church Offrings, hath under him the Church-wardens and

Sides-men to take care of the Church, and Church Assemblies, the Overseers of the Poor, to take care of the Poor Sick, Aged, Orphans, and other Objects of Charity; and Lastly, the Clark to wait on him at Divine Service.

Thus admirable and excellent is the Constitution of the present *English Government* above and beyond any other Government in Christendom.

O Fortunatos nimium bona si sua norint.
Angligenas ——— ———

If English men did know their Bliss,
Too great would be their Happiness.

Of the Military Government of England.

IT was a smart *Motto* that the Great *Henry* the IV. of *France*, Grandfather to our Gracious King now raigning, caused to be engraven on his Great Guns, *Ratio Ultima Regum*: Intimating thereby, that when Subjects refuse to submit to the Laws of the Land, or Neighbours to the Law of Nations; then Kings have recourse to Force and Armes, to bring them to Reason.

So long as Subjects are prone to Sedition, and Neighbour-Princes and States to Ambition, there will be a necessity of a *Military*

litary Power in every State, both by Land and likewiſe by Sea, where the Country is any where bordering on the Sea.

Of the *Military* power of *England*, both by Land and Sea, the King of *England* hath the ſole ſupreme Power, Government, Command and diſpoſition. And neither one nor both Houſes of Parliament, have any right to levey any Forces, or make any War Offenſive or Defenſive, as they have at large declared in Parliament, *Anno* 14. *Car* 2.

By Land, the next under the King was the late Duke of *Albemarle*, who by His Majeſties Commiſſion dated 4th of *April*, 1660. at *Breda*, was made *Generaliſſimo* of all His Majeſties Forces, in all His Three Kingdoms, Horſe and Foot, Land Souldiers in pay, as well within Garriſon as without.

Since the Death of the aforementioned Duke, the Horſe and Foot which are in conſtant Pay are thus ordered: there are four excellent Regiments of Foot. The firſt is called the Kings Regiment, conſiſting of 24 Companies, and near 1700 men, commanded by Coll. *John Ruſſel*, whoſe Lieftenant Coll. is *Edw. Grey*, brother to the Lord *Grey*, and whoſe Major is *William Rolleſton*.

The next is the Duke of *Yorks* Regiment 720 men, commanded by Sir *Charles Littelton*, whoſe Lieft. Coll. is Sir *John Griffith*, and his Major *Nath. Dorrel*.

Of the third Regiment, 600 men, Sir *Walter*

Walter Vane is Coll. *Thomas Howard* of *Suffolk* Lieft. Coll. and Sir *Thomas Ogle* Major.

Of the fourth Regiment, 960 men, the Coll. is the Earl of *Craven*, his Lieft. Col, is Sir *James Smith*, his Major *John Millar*.

There is alſo a Gallant Regiment of Horſe, conſiſting of 8 Troops, about 500 Horſe, beſides Officers, commanded by the Earl of *Oxford*, and his Major is *Francis Windham*.

His Majeſty hath beſides, 3 compleat Troops for his Life Guards: whereof one is called the Kings Troop, conſiſting of 200 Horſe, and commanded by the Duke of *Monmouth*: Another the Queens Troop, 150 Horſe, and commanded by Sir *Philip Howard*: and the third the Duke of *Yorks* Troop, 150 Horſe, and commanded by the Marquis of *Blanquefort*, whereof ſee more in the firſt Part of the *Preſent State of England*.

The pay of a Colonel of Foot is 20 *s.* *per diem*, and of a Colonel of Horſe 12 *s.* *per diem*, the other Officers have proportionable pay. Each Foot Souldier in *London*, hath 10 *d.* a day, and each Horſeman 2 *s.* 6 *d.* a day. Onely thoſe of the Life Guard have each 4 *s.* a day.

The reſt of His Majeſties Forces that are in conſtant pay, are diſpoſed of into ſeveral Garriſons: a Liſt whereof follows Alphabetically, with the names of their ſeveral Governors.

Barwick

Barwick, Lord Widdrington.
Carlile, Sir Philip Muſgrave.
Chepſtow, Captain Roger Vaughan.
Cheſter, Sir Jeofry Shackerly.
Dover, Capt. Strode.
Deale, Capt, *Titus*.
Guernſey, Lord Hatton.
Graveſend, Sir Francis Leak.
Harwich, Sir Charles Littleton.
Hull, John Lord Bellaſſis.
Jerſey, Sir Thomas Morgan.
Languard Fort, Major Dorrell.
St. Maws, Sir Viel Vivian.
Pendenis, Richard Lord Arundel.
Plimouth, Earl of Bath.
Portſmouth, D. of *York*, Sir *Philip Honywood*, Lieutenant Governor.
Scarborough, Sir Tho. Slingsby.
Scylly Iſle, Sir Will. Godolphin.
Sherenes, Sir Bourcher Wray.
Tinmouth, Col. Edward Villars.
Tower, Sir John Robinſon.
Upner Caſtle,
Windſor Caſtle, Prince Rupert.
Iſle of Wight, Sir Robert Holmes.
York, the Lord Freſchevile.

In ſome of theſe Garriſons His Majeſty is at the charge of above 500 men conſtantly,

ly, each Garrison Souldier hath 8 pence a day.

Of all the Land Forces in pay, the Commissaries Gen. of Musters are *Henry Howard* of *Suffolk*, and Sir *Cecil Howard*.

The Pay-master of all the Forces is Sir *Stephen Fox*.

The Judge Advocate Dr. *Sam. Barrow*.

For regulating and ordering His Majesties Land Forces, that are in constant pay, there are no Orders, yet setled by Act of Parliament, as there are for his Sea Forces, but may be in a short time.

Besides, the afore-mentioned Forces there is the standing *Militia* by Land of all *England* setled in the King, to be governed, ordered, and enlarged from time to time as his Majesty shall see occasion.

For the management of these standing Land Forces the King himself makes choice of divers of the principal Peers of his Kingdome, and by Commission creates them Lord Lieutenants of the several Counties of *England*, with power to arm, array, and form into Companies, Troops, and Regiments, to conduct (upon occasion of Rebellion or Invasions) and employ the men so armed within the Counties and Places for which the said Lords are commissioned, or into any other County, as the King shall give order. To give Commissions to Colonels, or other Commissioned Officers; to present to the King the names of the Deputy-Lieutenants, who have in the absence of the Lord Lieutenant the same power (and these

theſe are to be of the prime Gentry of the County) to charge any perſon in the County with Horſe, Horſemen, and Arms, or Foot Souldiers and Arms within the ſaid County, proportionable to their eſtates, with limitation that no perſon be charged with a Horſe, unleſs he hath 500 *l.* yearly Revenue, or 6000 *l.* in perſonal Eſtate. No perſon to be charged with a Foot Souldier, unleſs he hath 50 *l.* yearly Revenue, or 600 *l.* perſonal Eſtate. Thoſe that have meaner Eſtates are to joyn two or three together, to find a Horſe and Horſeman, or a Foot Souldier.

The forementioned Horſe and Foot are to muſter once or twice a year, and each Horſeman during the time of the Muſter to be allowed him for whom he ſerves 2 *s.* a day, and each Foot Souldier 12 *d.* a day.

For furnithing Ammunition and other Neceſſaries, the Lord Lieutenant, or Deputy Lieutenants may levy every year one fourth part (if they judge it expedient) of each mans proportion in the Tax of 70000 *l.* a moneth upon the whole Kingdom: And in the caſe of marching againſt an enemy, they have power to cauſe every man ſo charged to allow each Souldier one months pay, which the King is after to repay before they may be charged with another moneths pay.

Theſe Forces are alwayes in readineſs with all things neceſſary at the beat of a Drum, or ſound of Trumpet, to appear, muſter, and be compleat with men, horſe,

and

and armes, and are at certain times trained and disciplined, that they become able, skilful, and useful Souldiers.

These are to be commanded only within the Kingdom, for the security of the King and Kingdom.

Subservient in the standing *Militia* to the Lord Lieutenant, and Deputy Lieutenant are the Justices of Peace of every County, who upon all occasions according to the orders of their Superiors, are to send their Warrants to the High Constable of the Hundred, or Petty Constable of the Parish, &c.

These are commonly called the Trainbands of every County, whereof the number is so great, that in only five of the bigger Counties of *England* there are to be found well provided forty thousand able lusty men ready to assist the King upon all occasions, so that in all times of peace the King hath six or sevenscore thousand men enrolled, and wholly and solely at his disposing for the defence of his Kingdom of *England*.

For the better securing of the Kingdom from foreign Invasion, besides the Ships of war (whereof more anon) there are upon certain eminent places over al parts of *England*, mediterrane as well as maritime, high Poles erected, whereon are fastned pitch Barrels to be fired by night, and a smoke made by day, and thereby to give notice in few hours to the whole Kingdom of the approaching Invasion: whereupon the Inhabitants

habitants in arms make haſte to the ſea-coaſts. Theſe are called Becons, from the Saxon *Beacen* or *Beacnian*, to ſhew by a ſign. In all times of danger ſome are ſet to watch at every Becon.

Antiently there were many Caſtles in all parts of *England*; but inland Caſtles generally have either been demoliſht in latter times, or wittingly ſuffered to decay, that to Rebels they might be no ſhelter, to Invaders no ſtay, nor to the Invaded any refuge in flight, and conſequently, that there may not be any *lingring war* again in *England*, which is the greateſt miſery and calamity that can ever happen to a Nation.

In 1588. upon expectation of the Spaniſh Armado ſtiled invincible, there went forth from the Queen Commiſſions to muſter in all parts of *England*, all men that were of perfect ſenſe and limb, from the age of 16. to 60, except Noblemen, Clergymen, Univerſity Students, Lawyers, Officers, and ſuch as had any publick charges, leaving only in every Pariſh ſo many Husbandmen as were ſufficient to till the ground. In all thoſe Muſters there were then numbred three millions: but of thoſe fit for war, about ſix hundred thouſand.

In another Muſter of Queen *Elizabeth* there were found in all *England* fit for war of common Souldiers, about four hundred thouſand, and of thoſe armed and trained one hundred eighty five thouſand, beſides Horſe near forty thouſand: and that the Nobility and Gentry were then able to bring

bring into the field of their Servants and Followers twenty thousand men Horse and Foot choice men, and excellent horses; and in all fit for war, and ready upon all occasions, six hundred forty two thousand, leaving sufficient to till the ground, and to furnish Trades, besides Nobility, Gentry, &c.

Of the present Maritime Power belonging to the Crown of England.

THe Kingdom of *England* being a Peninsula, almost surrounded with the sea, there will alwayes be a necessity of maritime forces. And as next Neighbours grow potent at sea, the King of *England* will be necessitated to augment his maritime forces proportionably (how great soever the charge thereof may be) or else to quit his antient right to the Soverainty of the narrow seas, and to suffer his Merchants to be abused, and their traffique every where interrupted.

It is true, that in the 24. of *Eliz.* upon a general view and muster there were found but 13 Ships of war, and 135 Ships of considerable burden belonging to all the Subjects of *England*: and in the year 1600 her Majesty had but 36 Ships of war, and 13 or 14 Pinaces: the biggest Ship was then of

of One thouſand Tun, carried Three hundred and forty Mariners, One hundred and thirty Soldiers, and but Thirty piece of Ordnance: The leſſer Ships of War, were of One hundred Tun, Forty or fifty Mariners, Seven or eight Soldiers, and Eight Guns. The Pinnaces of Thirty Tun, Eighteen or twenty Mariners, and Two or four Guns, ſo ſmall was the Royal Fleet in thoſe days, when our next Neighbor Nations were weak, and always engaged with Civil and Foreign Wars; but now that their ſtrength at Sea, is of late ſo prodigiouſly increaſed, it will be moſt expedient for this Kingdom, to be always well provided: And, God be thanked, we have a King that underſtands better, and takes more delight in Maritime Affairs, and Ships of War, then any of His Royal Anceſtors, or any Soveraign Prince now living in the World; and who hath made it His cheif buſineſs that way, to fortifie this Kingdom.

The Forces of Potentates at Sea, *ſont des Marques de Grandeur d'Eſtat*, ſaith a French Author, Whoſoever commands the Sea, commands the Trade of the World; He that commands the trade commands the Wealth of the World, and conſequently the World it ſelf.

Again, As he that is Maſter of the Field, is ſaid to be Maſter of every Town, when it ſhall pleaſe him; ſo, he that is Maſter of the Sea, may, in ſome ſort, be ſaid to be Maſter of every Countrey, at leaſt of ſuch as are bordering on the Sea; for he is at liberty

liberty to begin, or end a War, where, and upon what terms he pleaseth, and to extend his Conquests even to the *Antipodes*.

To the Crown of *England* belongs the Dominion of all the Narrow Seas, round about the whole Island of *Great Britain*, by Ancient Right whereof, it hath had possession in all times. First, the *Aborigenes* or *Ancient Britains* were possest thereof, (as Mr. *Selden* makes appear) and in their Right, the *Romans* held it; then the *Saxons* having gotten possession of *England*, kept that Dominion, their King *Edgar*, amongst His Royal Titles, calling Himself, *Soveraign of the Narrow Seas*.

Afterward the *Normans* possessing *England*, claimed, and quietly possest the same Dominion, in testimony whereof, the *Swedes*, *Danes*, *Hans-Towns*, *Hollanders*, *Zealanders*, *&c.* were wont to ask leave to pass the *British Seas*, and to take Licenses to fish therein: And to this day, do strike Sail to all the Ships of War belonging to the King of *England*, as oft as they pass by any one of them, thereby to express, that they acknowledge the Soveraignty of the *British Seas* to belong to the King of *England*, according to an Ordinance made at *Hastings* in *Sussex*, by *John*, King of *England*, about Four hundred and fifty years ago.

To maintain this Right and Title, to protect Trade, to subdue Pirates, to defend this Kingdom against hostile Invasions, and

and to reduce foreign Potentates to Reaſon, the Kings of *England* have had (eſpecially of later times) a conſiderable number of Ships of War, for Strength, for Beauty and Sailing (if not for number) ſurpaſſing all thoſe of our Neighbor Nations: For Strength, by reaſon of the moſt excellent *Engliſh* Timber, they are like ſo many floating Caſtles and *Barbicans*; For Beauty, ſo proportionably and ſpaciouſly built, and ſo curiouſly and richly adorned, that they are as ſo many *Royal Palaces*. Amongſt other Ships at Sea, they are as ſo many Lions amongſt other ſilly Beaſts, or as Eagles amongſt other Birds.

Hiſtories mention a great Fleet of *Julius Cæſar*, a Fleet of the forementioned King *Edgar*, conſiſting of Three thouſand ſix hundred Sail; a Fleet of *Lewis*, Son to *Philip* King of *France*, of Six hundred Sail, that arrived at *Sandwich* to aſſiſt the *Engliſh Barons* againſt King *John*; but thoſe doubtleſs were but as ſo many Cottages to Caſtles, in reſpect of the preſent Ships of War.

Henry the Eighth, in the Fifth year of His Reign, built a Ship, then accounted the greateſt, that ever had been ſeen in *England*, and named it *Henry Grace de Dieu*, or the *Great Henry*; it was of One thouſand Tun.

In the Eighth year of King *James* was built by the *Londoners*, a Ship of Twelve hundred Tun, and called *The Trades Increaſe*, which being loſt in the *Eaſt Indies*,

King

King *James* cauſed another to be built of Fourteen hundred Tun, which being given to Prince *Henry*, was by Him named the *Prince*.

King *Charles*, the *Martyr*, perceiving the great encreaſe of Shipping in our Neighbor Nations, and that the Soveraignty of theſe Seas was like to be diſputed; amongſt other great Ships of War, built one greater then any Ship of War, either in *England*, or in any Countrey of *Europe*, and named it *The Royal Soveraign*; which for a little diverſion, ſhall here be more particularly deſcribed.

The *Royal Soveraign*, being a Ship of the Firſt Rate or Rank, built in the Year One thouſand ſix hundred thirty and ſeven, is in length by the Keel One hundred twenty ſeven Foot, in bredth by the Beam Forty ſeven Foot, in depth Forty nine Foot, her draught of Water Twenty one Foot: Of burden, in all Two thouſand ſeventy and two Tuns; and One thouſand five hundred fifty and four Tuns, beſides Guns, Tackle, *&c.* This mighty Moving-Caſtle hath Six Anchors, whereof the biggeſt weighs 6000 *l.* and the leaſt 4300 *l.* It hath Fourteen Cables, whereof the greateſt is Twenty one Inches in compaſs, and weighs 9000 *l.* Her leaſt Cable being eight Inches in compaſs, weighing near 1300 *l.*

To the *Royal Soveraign* belong Eighteen Maſts and Yards, whereof the greateſt, called *The Main Maſt*, is One hundred

and

and thirteen Foot long, and Thirty eight Inches Diameter; Her Main Yard One hundred and five Foot long, and Twenty three Inches Diameter, and her Main Top Fifteen Foot Diameter: She hath Ten ſeveral ſorts of Sails of ſeveral names (as every Ship of every one of the Six Rates hath) whereof her greateſt Sail, called *Her Main Courſe* (together with her Bonnet) contains One thouſand ſix hundred and forty Yards of *Canvas*, *Ipſwich* double, and the leaſt Sail called *The Fore-top-gallant-ſail*, contains One hundred and thirty yards of *Canvas*. The charge of one compleat Sute of Sails for the *Soveraign* is 404 *l.* Sterling Money. The weight of the Sea ſtore, in point of Ground Tackle and other Cordage, is Sixty Tuns, Eight hundred and odd pounds.

She carries a long Boat of Fifty Foot, a Pinnace of Thirty ſix Foot, and a Skiff of Twenty ſeven Foot long.

The weight of her Rigging is Three and thirty Tun.

She hath Three Tire of Guns, all of Braſs, whereof there are Forty four in her upper Tire, Thirty four in her ſecond Tire, and Twenty two in her lower Tire, in all One hundred Guns.

She carries in all, of Officers, Soldiers, and Mariners, Seven hundred Men.

Finally, Her whole Charges for Wages, Victuals, Ammunition, wear and tear, for every Moneth at Sea, coſts the King 3500 *l.* Sterling, as hath been computed by a very skilful perſon.

The

The charges of Building a Ship of the First Rate, together with Guns, Tackle, and Rigging (besides Victualing) doth ordinarily amount to about 62432 *l.* Those of Lower Rates proportionably.

The King hath now Six Ships of the First Rate, whereof Five are longer by the Keel then the forementioned *Royal Soveraign*, and all of the same force, except two, which yet may carry each one, One hundred and ten Guns.

Of Ships of War, great and small, the King had before the last War with the *United Netherlands*, above One hundred and sixty Sail, whereof a true List followeth.

A List in Alphabetical Order of all the Ships, Frigats, and Vessels of his Majestie's Royal Navy; together with the *Rates*, *Tuns*, *Men*, and *Guns* usually accounted.

First Rate Ships.	*Tuns*	*Men*	*Guns*
Charles	1229	550	80
Prince	1205	600	84
Soveraign	1554	700	100
Second Rate.			
St Andrew	775	300	56
St. George	775	300	56
Henry	1047	380	64
James.	792	350	60
London	1050	500	64
Royal James	1100	500	70
Rainbow	782	320	56
Swiftsure	740	340	60
Triumph	779	350	64
Catherine			76
Victory	690	320	56

Second Rate Ships.	*Tuns*	*Men*	*Guns*
Unicorn	786	320	56
Vantguard	706	3 0	56
Royal Oak			76
St. Michael			
Third Rate.			
Anne	742	240	54
Dreadnought	738	240	52
Dunkirk	635	230	48
Edgar			
Eſſex	633	230	48
Fairfax	755	240	52
Henrietta	781	250	50
Gloceſter	755	240	52
Lyon	550	210	48
Mary	727	260	56
Monk		260	50
Montague	769	260	52
Plymouth	771	250	50
Revenge	741	240	52
Reſolution	765	250	52
York	739	240	52
Rupert			

Fourth Rate Ships.	*Tuns*	*Men*	*Guns*
Antelope.	550	160	40
Aſſiſtance	513	160	40
Advice	516	160	40
Adventure	505	140	24
Amity	354	120	30
Aſſurance	341	135	32
Briſtol	534	180	44
Bear	430	130	36
Breda	515	160	40
Crown	536	160	40
Centurion	531	170	40
Convertine	500	170	40
Conſtant Warwick	315	135	32
Charity	400	140	38
Diamond	547	160	40
Dover	511	160	40
Dragon	414	150	38
Elizabeth	477	150	38
Elias	400	130	36
Expedition	323	120	30
Foreſight	513	160	40
Guinea	375	120	30
Happy Return	607	180	44
Hampſhire	481	150	38
Jerſey	560	160	40

Ships	*Tuns*	*Men*	*Guns*
Indian	500	180	40
Kent	600	170	40
Leopard	666	180	44
Matthias	400	160	44
Mary Rose	566	160	40
Marmaduke	400	130	32
Newcastle	633	180	44
Nonsuch	389	140	34
Portland	607	170	40
Princess	600	150	36
Portsmouth	433	150	38
Phenix	414	150	38
President	462	150	38
Providence	323	120	30
Reserve	512	160	40
Ruby	550	160	40
Swallow	543	170	40
Saphire	442	150	38
Tyger	447	150	38
Welcome	400	150	38
Yarmouth	608	180	44
Fifth Rate.			
Augustin	300	110	26
Briar	180	90	18
Colchester	287	110	24

Convert

Ships.	*Tuns*	*Men*	*Guns*
Convert	250	110	26
Coventry	200	110	20
Dartmouth	220	110	22
Dolphin	130	80	14
Eagle	299	110	22
Foreſter	230	110	32
Fame	200	95	20
Gift	300	100	26
Garland	2 ſ	1 0	20
Greyhound	150	90	22
Half-Moon	300	110	26
Happy Entrance	200	100	20
Hector	150	90	20
Hound			
Lizard	100	170	16
Milford	262	115	22
Mermaid	287	110	22
Norwich	258	110	22
Nightingale	300	110	22
Oxford	240	105	22
Conſtant Warwick.		80	22
Pearl	285	110	22
Pembroke	210	110	22
Paul	240	95	22
Richmond	235	110	22
Roſebuſh	300	100	24

Ships.	*Tuns*	*Men*	*Guns*
Succeſs Frigat	230	115	24
Speedwell	200	100	20
Sorlings	250	110	22
Succeſs	380	130	34
Satisfaction	220	110	26
Saphire	300	100	26
Weſtergat	300	100	26
Sixth Rate.			
Bramble	120	70	14
Blackmore	90	50	12
Carnation.	100	60	12
Cheſnut	90	45	10
Cag-way	60	40	8
Cignet	60	40	6
Drake	146	70	12
Dolphin	50	25	4
Diver Smack			
Eaglet	60	40	8
Fox	120	70	14
Francis	90	50	10
Griffin	90	50	12
Gift	120	70	12
Hind	60	40	8
Hawk	60	40	8
Harp	60	40	6

Hart

Ships.	*Tuns*	*Men*	*Guns*
Hart			
Hunter	50	30	6
Henrietta Pinnace	65	25	6
Kingſale	90	50	10
Lark	80	50	10
Lilly	60	40	6
Martin	130	70	12
Mary	120	60	12
Marygold Hoy			
Nonſuch Catch	60	40	8
Minion			
Paradox	127	70	12
Pearl Brigane	50	25	4
Roe	60	40	8
Roſe	60	40	6
Sparrow	90	60	12
Swallow	60	40	6
True Love	100	60	12
Vulture	100	60	12
Weymouth	120	70	11
Wolf	120	70	16

Beſides the above mentioned Veſſels, there was the New *Gally*, the *Eagle*, *Stork*, *Violet*, *Oſtridge*, *Church* and *Elias*, in all 160 ſail.

During

During the late War with the *United Netherlands*, *France*, and *Denmark*, some of these forementioned Vessels were lost, and since the Peace concluded many have been new built, even this present year, four Ships of the first Rate, and three of the third Rate have been, to his Majesties great expences, built and perfectly finished, or will be in a short time. Those new built Ships of the first Rate are the *Royal James*, *Prince*, *St. Andrew*, *London*.

All his Majesties *Maritime* Forces are under the Command of the Lord *High Admiral* of *England*, touching whose Name, Titles, Power, Priviledges, &c. See the first part.

The Lord *Admiral* hath under him many Officers of high and low condition, some at Sea, others at Land; some of a *Military*, some of a *Civil* capacity; some *Judicial*, others *Ministerial*; so that the Dominion and Jurisdiction of the *Sea*, may justly be stiled another *Commonwealth* or Kingdom apart. *In Mari sunt Regna distincta idque Jure Gentium, sicut in arida terra*, saith *Baldus*, that learned Oracle of the *Civil Law*: And the Lord *High Admiral* of *England*, may fitly be stiled, or at least reputed as a *Vice-Roy* of the *Maritime* Kingdom of *England*.

The *Vice-Admiral* of *England* is an Officer, to whom next under the *High-Admiral*, it belongs to see the *Royal Navy* kept in good repair, the wages of Mariners and Ship-wrights duly paid, and the Ships provided

provided of all things neceſſary for any Expedition.

The Lord *High-Admiral* of *England* doth by virtue of his place appoint in divers parts of the Kingdom his ſeveral *Vice-Admirals*, with their Judges and Marſhals by Patent under the Great Seal of the High Court of Admiralty. Theſe *Vice-Admirals* and *Judges* do exerciſe Juriſdiction in Maritime affairs within their ſeveral limits; and in caſe any perſon is agrieved by any Sentence or Interlocutory Decree, that hath the force of a definitive Sentence, he may appeal to the High Court of Admiralty.

The preſent Vice-Admirals *of the ſeveral Coaſts of* England, *with their* Judges, *are theſe that follow in Alphabetical order.*

Briſtol City, Sir *Thomas Bridges* Vice-Admiral.
Cheſhire and *Lancaſhire*, the Earl of *Derby* Vice-Admiral.
Sir *Tim. Baldwin* Kt. Dr. of Laws, Judge.

Cornwall South parts, *Trelawny* Vice-Admiral.
Cornwall North parts, Sir *John Godolphin* V. Admiral.
Mr. *Scawen Judge*.

Cumberland, Earl of *Carlile* V. Admiral.
Durham, Earl of *Carlile*. V. Admiral.
Devonshire, *John Vowel* Esq; V. Admiral.
Dr. *Masters* Judge.

Dorsetshire, *Bullen Reyms* Esq;
Essex, Sir *John Bramston*, V. Admiral.
Sir *Mundiford Bramston* Judge.

Glocester, *Thomas Cheston* Esq; V. Adm.
Kent, Duke of *Richmond* V. Adm.
Lincoln, Lord *Castleton* V. Adm.
Newcastle, Earl of *Carlile* V. Adm.
Norfolk, Lord *Townsend* V. Adm.
Sir *Justinian Lewen* Kt. Dr. of Laws, Judge.

Northumberland, Earl of *Carlile* V. Adm.
Somersetshire, Sir *Thomas Bridges* V. Admiral.
Sussex, Sir *John Pelham* V. Adm.
Dr. *Low* Judge.

Suffolk, Sir *Henry Felton*, V. Adm.
Dr. *Clark* Judge.

Southampton and Isle of *Wight*, Sir *Robert Holms* V. Adm.
Dr. *Lloyd* Judge.

Wales North parts, Col. *John Robinson* V. Adm.
Mr. *Walter Mansel* Judge.

York, Earl of *Mulgrave* V. Adm.

For

For handling of *Maritime* Affairs, the Lord *High Admiral* hath Courts of his own, whereof that at *London* is the principal or ſupreme, where all *Proceſs* and *Proceedings* run in his name, and not in the Kings, as it doth in all Common-Law Courts; in this Court uſually call'd the Court of *Admiralty*, he hath a Lieutenant called Judge of the *Admiralty*, who is commonly ſome learned Dr. of the Civil Law, and is at preſent Doctor *Fenkins*, lately knighted for his great worth, and now called Sir *Lionel Fenkins*.

The Proceeding in this Court in all *Civil* Matters, is according to the *Civil Law*, becauſe the *Sea* is without the limits of the *Common-Law*, but under the *Admirals* Juriſdiction; therefore the *Civil Law* onely (all Common Law ſecluded) is made uſe of, and, by *Libel* they proceed to the Action, the Plaintiff giving Caution to proſecute the Sute, and to pay what ſhall be judged againſt him, if he fail in the Sute, the Defendant on the contrary ſecuring the Plaintiff by ſufficient ſurety or caution, as the Judge ſhall think meet, that he will appear in Judgment, and pay that which ſhall be adjudged againſt him, and that he will ratifie and allow all that his Proctor ſhall do in his name, whereby the Clients are well aſſured to obtain that which by Law ſhall be adjudged to them, let the Cauſe fall on which ſide ſoever.

In the *Admiralty* Court of *England* uſe is made, not onely of the *Civil Laws*, but the

the Laws of *Rhodes* and *Oleron*, whereof the former is an Island in the *Mediterranean* Sea, about twenty miles distant from the Continent of *Asia Minor*, and is now under the *Turk*, the antient Inhabitants whereof, by their mighty Trade and Power at Sea, grew so expert in the Regulation of all Maritime Matters and Differences, and their Determinations therein were esteemed so just and equitable, that their Laws in such affairs have ever since been observed for *Oracles*. Those Laws were long ago incorporated into the Volumes of the *Civil Law*: And the *Romans*, who gave Laws to other *Nations*, and excelled all Nations in making of good Lawes; yet for their Sea-affairs, referred all Debates and Controversies to the Judgement of these *Rhodian* Lawes.

Oleron is an Island antiently belonging to the *Crown* of *England*, seated in the Bay of *Aquitane*, not far from the Mouth of the *Garonne*, where our famous Warriour King *Richard* the *First*, caused to be compiled such excellent Laws for Sea matters, that in the Ocean Sea *Westward*, they had almost as much repute as the *Rhodian* Laws in the *Mediterranean*: and these Lawes were called *La Rool d' Oleron*.

King *Edward* the *Third* (who first erected this Court of *Admiralty*, as some hold) made at *Quinborough* 1375. very excellent Constitutions concerning Maritime affairs, and many Statutes and Ordinances have been made by other Princes, and

and People, as at *Rome*, *Piſa*, *Genoa*, *Marſeilles*, *Barcelona*, and *Meſſina*; yet, that fragment of the *Rhodian* Law, ſtill extant with the Comments thereon by the old *Juriſconſults* inſerted in the Pandects, and the Conſtitutions made by the *Roman* Emperors contained in the *Code*, and in the *Novelles*, ſtill holds the Preeminence.

The Cuſtomes and former Decrees of the *Engliſh* Court of *Admiralty*, are there of force for deciding of Controverſies. Under this Court there is alſo a Court of Equity for determining differences between Merchants.

In Criminal affairs, which is commonly about Piracy, the proceeding in this Court was by Accuſation and Information, according to the *Civil Law*, by a mans own confeſſion, or eye-witneſſes found gulty before he could be condemned: but that being found inconvenient, there were two Statutes made by *H.* VIII. that Criminal affairs ſhould be tried by Witneſſes, and a Jury, and this by ſpecial Commiſſion of the King to the Lord Admiral; wherein ſome of the Judges of the Realm are ever Commiſſioners, and the Tryal according to the Laws of *England*, directed by thoſe Statutes.

Between the Common Law of *England*, and the *Admiralty*, there ſeems to be *Diviſum Imperium*; for in the Sea, ſo far as the Low-water Mark is obſerved, that is counted, *Infra Corpus Comitatus adjacentis*, and

and Causes thence arising are determinable by the Common-Law, yet when the Sea is full, the Admiral hath Jurisdiction there also (so long as the Sea flows) over matters done between the Low-water Mark, and the Land, as appears in Sir *Henry Constables* Case, 5 *Report*, *Coke p.* 107.

For regulating and ordering His Majesties Navies, Ships of War, and Forces by Sea, See those excellent Articles and Orders in *Stat.* 13 *Car.* 2. *c.* 9.

Of

Of the Navy Office, *where the whole buſineſs concerning the Kings Veſſels of War is managed.*

FIrſt, There is the Treaſurer of the Navy, the Earl of *Angleſy*, whoſe Office is to receive out of the Exchequer, by Warrant from the Lord Treaſurer of *England*; and to pay all charges of the Navy, by Warrant from the principal Officers of the Navy for which he hath ſalary, 220 *l.* 13 *s.* 4 *d.* beſides 3 *d.* in the pound of all moneys paid by him.

This Office is executed, *pro tempore*, by Sir *Thomas Osburn*, and Sir *Thomas Littleton*, for which there are allowed to each fifteen hundred pounds *per annum*.

Next the Controller of the Navy, Sir *John Mennes*, whoſe Office is to attend and controll all payments of wages, to know the Market rates of all ſtores belonging to ſhipping, to examine and *audit* Treaſurers, Victuallers, and Store-keepers, Accounts, *&c.* his Salary is 500 *l.* yearly. This Office is executed at preſent by the Lord Vicount *Brounker*, the forementioned Sir *John Mennes*, and Sir *Jeremy Smith*, together.

Sur-

Surveyor of the Navy, Collonel *Thomas Middleton*, whose Office is generally to know the state of all stores, and see the wants supplyed; to find the Hulls, Masts, Yards, and estimate the value of repairs; by Indentures to charge all *Boatswains*, and Carpenters of His Majesties Navy, with what stores they receive, and at the end of each voyage, to state and *audit* their Accounts, his Salary is 490 *l.*

Clerk of the Acts *Samuel Pepys* Esquire, whose Office is to record all Orders, Contracts, Bills, Warrants, and other businesses transacted by the Principal Officers and Commissioners of the Navy, *&c.*

Next the Commissioners of the Navy, *viz.* the forementioned Lord *Brounker* and Sir *Jeremy Smith*, whose Office is as above specified; and Salary to each 500 *l.* yearly.

Two other Commissioners, *John Tippets* and *John Cox* Esquires, whose particular work is to be at *Portsmouth* and *Chatham*, alwayes in readiness, to give Orders for the better management of His Majesties affairs in his Yards or Store-Houses there; Salary to each is 350 *l.* yearly.

Each of these Officers above named, have two Clerks, and some of them more, all payd by the Treasurer of the Navy, all hold their Places by Patent from the King, and the most of them during Pleasure.

The King hath for his Navy Royal and Stores, 4 great Yards or Store-houses, *viz.* at *Chatham*, *Deptford*, *Woollwich*, and *Portsmouth*,

mouth, where his ships are built, repaired and laid up after their voyages. In which Yards are employed divers Officers, whereof there are six Principal, whose Office, Names, and Salaries follow.

	Chat.	*Dep.*	*Wool.*	*Port.*
Clerk of the Check.	181	108	98	126
Store-keeper.	236	164	128	119
Master attendant. 2 *at Chatham.*	200	100	100	108
Master shipwright.	103	113		130
Clerk of the Controll.	100	120	80	80
Clerk of the Survey.	140	102		84

Note

Note that the charges of their Clerks and Instruments are included in the aforementioned Salaries.

Besides these four Yards, His Majesty hath divers Rope Yards, as at *Chatham*, *Woolwich*, and *Portsmouth*, where are made all His Cables and Cordage for His Navy.

Also in time of a Sea-war, the King hath another Yard at *Harwich*, where there is out of War time continued an Officer at the charges of 100 *l.* yearly.

Yearly Pensions allowed by the King to to his Flag-Officers whilst they are at *Land* out of Employment.

Two Admirals

	Salaries.
	l.
Sir George Askew	250
Sir Thomas Allen	245

Three Vice-Admirals.

Sir Joseph Jordan	200
Sir Edward Sprag	250
Sir John Herman	200

Three

Three Rere-Admirals.

	l.
Riches Utbert,	150
Sir John Kempthorn	150
John Hubbert,	150

All the Fore-mentioned Officers, and the whole Navy Office are governed by the Lord High Admiral of *England*, whose Lieftenant Admiral is the Earl of *Sandwich*; Salary 20 *s. per diem*, and 10 *s. per mens.* for each servant, whereof he is allowed 16.

Lord *Adm.* Secretary is *Matthew Wren*, Esquire, his Salary from the King is 500 *l.* yearly.

All the other under Officers, as well those in the several Yards as those belonging to any of His Majesties ships, hold their places by Warrant from the Lord High Admiral *durante bene placito.*

The ordinary yearly Charge of His Majesties Navy, in times of Peace, continuing in Harbour, is so well regulated, that it amounts to scarce 70000 *l.* besides all charges of building of ships, *&c.* or setting forth any Fleets, which some years even in peaceable times, amounts to 12 or 1300000 *l.* more, as may easily be conjectured by the charges of building and rigging of Ships, and of one Months expences

pences at Sea afore specified, so that the *English* Subject need no longer wonder how their late large Contributions and Aides have been spent, but rather how the Kingdomes necessary Expences, should be discharged with so little.

Of the City of *LONDON*.

LONDON being the *Epitome* of *England*, the Seat of the British Empire, the Chamber of the King, and the chiefest *Emporium* or Town of Trade in the World; it will not be impertinent to give some account thereof.

To describe particularly all things in this City worthy to be known, would take up a whole Volumn, therefore, according to the intended brevity of this *Treatise* here shall be inserted onely τα μεγαλεια της πολεως *Magnalia Londini*, such things as strangers and foreigners commonly count remarkable.

Take then a summary account of the Name, Antiquity, Situation, Magnitude Streets, Houses, Number of Inhabitants, Parish-Churches, Cathedral, Royal Exchange, River, Conduits, Aqueducts, Trade, Government, Publick Halls of Companies; of the Tower, Bridge, Custom-House, Publick Offices, Colledges, Schooles, Hospitals, Work-houses, &c.

LON-

LONDON ſo called, as ſome conjecture, from *Llongdin* the Britiſh word, ſignifying in the *Saxon* Tongue *Shipton*, or Town of ſhips; was built as ſome write 1108 years before the Birth of our Saviour, that is 2778 years agoe; in the time of *Samuel* the Prophet, and about 356 years before the building of *Rome*. *Name.* *Antiquity.*

In the moſt excellent ſituation of *London*, the profound wiſdom of our Anceſtors is very conſpicuous and admirable. It is ſeated in a pleaſant ever green valley; upon a gentle riſing Bank, in an excellent Aire, in a wholeſome ſoyl mixt with gravel and ſand upon the famous Navigable River *Thames*, at a place where it is caſt into a *Creſcent*, that ſo each part of the City might enjoy the benefit of the River, and yet not be far diſtant one from the other, about 60 miles from the Sea, not ſo near, that it might be in danger of Surpriſal by the Fleets of Forreign Enemies, or be annoyed by the boyſterous Winds, and unwholeſome Vapours of the Sea; yet not ſo far, but that by the help of the Tide every twelve hours, all the Commodities that the Sea or World can afford, may by ſhips of great burden be brought into her very boſome, nor yet ſo far, but that it may injoy the milder, warmer Vapours of the Eaſtern, Southern, and Weſtern Seas; yet ſo far up in the Country, as it might alſo eaſily partake even of all the Country commodities: in an excellent air, upon the North ſide of the River (for the Villages ſeated on the South- *Situation.*

South-side are noted to be unhealthy, in regard of the Vapours drawn upon them by the Sun) burroughed by gentle hills, from the North and South Winds; it lies in 51 Degree 34 Minutes Latitude.

The High-ways leading from all parts to this Noble City are large, straight, smooth, and fair; no Mountains nor Rocks, no Marshes nor Lakes to hinder Carriages and Passengers, so that as Corn may easily be brought, and Cattel commodiously driven unto it by Land; so those heavy though necessary Commodities, Hay and Fuel are more cheaply conveyed by water: in a word all the blessings of Land and Sea near about, and by the benefit of shipping, all the blessings of the Terrestrial Globe, may be said to be here injoyed, above any City of the world.

Magnitude. The City of *LONDON* with its Suburbs and places adjacent, is of a vast extention: From *Lime House*, measured to the end of *Nothill* or *Tuttle* street, from East to West, is above 7500 Geometrical paces, that is, above 7 English Miles and a half; and from the farther end of *Blackman* street in *Southwark*, to the end of St. *Leonard Shoreditch* is 2500 paces, or two Miles and a half.

Streets. In this great City, the streets, lanes and allyes, as they are called, are in number above 500, and yet, some of them above half a measured mile in length: Dwelling houses

houſes, before the late dreadful Fire, were computed onely within the Walls, above fifteen thouſand, and that was accounted but a fifth part of the whole City, as may be judged by the weekly Bills of Mortality.

Houſes.

The Buildings, eſpecially of late years, are generally very fair and ſtately, but within the City, the ſpacious Houſes of Noble men, rich Merchants, the Halls of Companies, the fair Taverns are hidden to ſtrangers, by reaſon that they are generally built backward, that ſo the whole room towards the ſtreet, might be reſerved for Tradesmen ſhops. If they had been all built toward the ſtreet, as in other Countries, no Forreign City would, even in this particular, much ſurpaſs *London*; Yet, if a Stranger ſhall view Lincolns-Inne fields, Southampton Buildings, Covent Garden, St. James Fields, Hatton-Garden, Cheapſide, Lumbard ſtreet, Canon ſtreet, Fleet ſtreet *&c.* He muſt confeſs that for fair *Piazza's* or open Places, for ſtately uniform buildings, for ſpatious ſtreight ſtreets, there is ſcarce the parallel in *Europe*.

Number of Inhabitants.

That the Reader may the better gueſs at the number of Inhabitants, or humane Souls, within this great City, he muſt know, that in one year there were computed to be eaten in *London*, when it was leſs by one fourth part, 67500 Beefs, ten times as many

ny Sheep, besides abundance of Calves, Lambs, Swine, all sorts of Poultry, Fowl, Fish, Roots Milk, &c. Also that *communibus annis* to supply *London* with *Newcastle Coal*, there is brought into the River of *Thames* two hundred and seventy thousand Chaldron, and every Chaldron is 36 Bushels.

Again the number of Inhabitants may be guessed at by the Burials and Births in *London*, which, in ordinary years, when there is no *Pestilence*, amount of late to Twenty thousand in a year, three times more then in *Amsterdam*, and but one 20th part less then in *Paris*, as may be seen by the Bills of these three Cities.

As also by the quantity of Beer drank in *London* in a year, which to all Forreigners will be incredible, for in the year 1667 according to exact computation, there was brewed within that year in *London*, four hundred fifty two thousand five hundred sixty three Barrels of strong Beer, sold at 12 *s.* 6 *d.* the Barrel, and five hundred and eighty thousand four hundred twenty one Barrels of Ale, sold at 16 *s.* the Barrel, and four hundred eighty nine thousand seven hundred ninety seven Barrels of Table Beer, or small Beer, sold at 6 *s* 6 *d.* the Barrel. The Beer strong and small is 36 Gallons to the Barrel, and the Ale 32 Gallons to the Barrel. and now since the Pestilence and the Fire, that this City is again fully peopled, there is much more Liquor brewed.

It is true, that ſome he eof is tranſported beyond the Sea, but that is ſcarce conſiderable.

Beſides all this Beer and Ale, there is conſumed in *London*, a vaſt quantity of *French* and *Spaniſh* wines, much Rheniſh-wine, Sider, Coffee, Chocolatte, Brandy and other Drinks.

The *Exciſe* only of Beer and Ale for the City of *London* (though it be a very moderate Impoſition) is farmed or rented of the King at above one hundred and twenty thouſand pounds a year, and about one fourth part of all that Exciſe throughout *England*.

Churches

Pariſh Churches, beſides Chappels there were in all 130. that is double the Number of Churches parochial to be found in any City of Chriſtendom, the Mother Church whereof is dedicated to the memory of Saint *Paul* (the only Cathedral of that Name in *Europe*) and founded by *Sebert* a *Saxon* King, about the year 610. in a place where had ſtood a Temple dedicated to *Diana*, and afterward enlarged by *Erkenwald* the 4th *Saxon* Biſhop thereof; and that old Fabrick being almoſt deſtroyed by Fire, *Mauritius* another Biſhop of *London*, in One thouſand eighty three began and finiſhed a great part of the preſent magnificent Pile, in the ſpace of 20 years, but the Quire and Tower were not finiſhed till 1221, and then it was dedicated in a moſt ſolemn manner (as was the

Temple of *Solomon*) the King, the Bishops and a vast number from all Parts of the Nation assisting thereat.

It is seated on the highest part of all the City, and was more conspicuous perhaps then any Cathedral Church in the World; it was a structure for length, height and antiquity surpassing all other Churches; the length thereof was 690 Foot (therein excelling by 20 foot, St. *Peters* in *Rome*, which for beauty, proportion and divers other things excels all other Temples) it was in height 102 foot, and in breadth 130. The Church was built as other Cathedrals, in a perfect Cross, and in the midst of the Cross, upon mighty high Arches, was a Tower of Stone 260 foot high, and on that a spire of Timber covered with Lead, in height 260 foot more, in all from the ground 520 foot; above which was a role of Copper Gilt, of 9 foot in compass, whereon stood the Cross, 15 foot and a half high, and almost 6 foot a cross, made of oak, covered with Lead, and another cover of Copper over the Lead; above all stood the Eagle or Cock of Copper Gilt, four foot long, and the breadth over the Wings 3 foot and a half.

In the year 1561. a part of this magnificent Pile was much wasted, and the rest endangered by a fire begun in that stately Timber Spire, by the negligence of a Plummer, who left his Pan of Fire there, whilest he went to Dinner, as he confest of later years on his Death Bed: But by the great

Bounty

Bounty and Piety of Queen *Elizabeth*, of the Citizens of *London*, and of all the Clergy of the Province of *Canterbury*, it was again repaired in the ſpace of Five years. After which, the Stone-work decaying apace, by reaſon of the corroding quality of the abundance of Sea-coal ſmoak, the Learned and Pious Doctor *Laud* coming to be Biſhop of *London*, and after of *Canterbury*, was ſo zealous and vigorous, for upholding this moſt Ancient Church, and Stately Monument of *England*, and glory of the City of *London*; that by the Kings favor, and liberal contribution of Godly People (maugre all oppoſition of the *Puritans*) the work was ſo eagerly purſued, that before the year 1640. the whole Body was finiſhed with *Portland* Stone, excellent againſt all ſmoak and weather, and the *Tower* ſcaffolded up to the top, with a purpoſe to take it all down, and to rebuild it more fair, and of a greater height, with a ſtately Pinnacle at each corner, becauſe the Arches were not thought ſtrong enough to ſupport another Steeple, and to place in that *Tower* the biggeſt and moſt tunable Bells in the World: For performance whereof, and for adorning the Church, there was in the Chamber of *London*, above One hundred and ſeventy thouſand pounds all taken out ſoon after, and employed in an Unnatural War, by a ſtiff necked People, againſt the beſt of Kings; in which one ſingle act a great part of the Citizens of *London*, and of the *Long Parliament*,

became deeply guilty of a horrid Rebellion, and detestable Sacriledge.

After the Murder, or rather Martyrdom, of the forementioned Archbishop, the Skaffolds were taken away and sold, with some of the Lead, which covered this famous Structure, and this House of God made a Stable for Horses by the Disloyal Army, and almost all suffered to decay, till the Restauration of the King, who having a pious intent to set upon the repair thereof again, it was all ruined by the late dreadful Conflagration in *1666*. Which yet hath not so discouraged our gracious King, and the rest of our Church Governors, but that in a short time they intend to begin again the repair of the *Mother Church* of the *Mother City* of this Kingdom, to the glory of God, and high honor of this City and Nation; for the speedy promoting whereof, both King and Parliament, City and Countrey, Clergy and Laity, high and low, seem to stand engaged, to lend their aid and assistance.

Of the forementioned Fire, that was able to destroy such a vast solid Structure, as the Cathedral of S. *Paul*, a brief account may here be acceptable, especially to Foreigners, who have had imperfect relations thereof.

THE City of *LONDON*, within the Walls, was seated upon, near Four hundred

hundred and ſixty Acres of Ground, whereon was built about Fifteen thouſand Houſes, beſides Churches, Chappels, Halls, Colledges, Schools, and other Publick Buildings, whereof about Four parts of five, were utterly devoured in the late diſmal Conflagration, and about One part of five, of the whole City and Suburbs, counting therein *Weſtminſter* and *Southwark*: There were then deſtroyed Eighty ſeven Parochial Churches, Six Conſecrated Chappels, all the Principal Publick Edifices; as the forenamed Cathedral of S. *Paul*, the great *Guild-Hall*, wherein are held Nine ſeveral Courts belonging to the City; the *Royal Exchange*, the *Cuſtome-Houſe*, moſt Halls of Companies, *&c.* whereof the whole damage is almoſt incredible.

In that one commodity of Books onely, wherewith *London* abounded, was loſt, as *Judicious Stationers* have computed, One hundred and fifty thouſand pounds; for the loſs fell moſt upon that, and Three or four other cumberſome commodities, not eaſie, on a ſudden to be removed, *viz.* Wines, Tobacco, Sugars, and Plumbs, wherewith this City was furniſhed beyond any City in the World. Yet, in this vaſt Incendy, not above Six or eight perſons were burnt: Of this dreadful Fire, there were many concurrent occaſions.

Firſt, The Drunkenneſs or Supine negligence of the *Baker*, in whoſe Houſe it began, or of his Men.

Next, The dead time of the night; wherein it began, *viz.* between One and two of the Clock after Midnight, when ſome were wearied with working, others filled with drink, all in a dead ſleep.

Thirdly, The dead time of the week, being Saturday night, when Traders were retired to their Countrey Houſes, and none but Children or Young Servants left behind.

Fourthly, The dead time of all the year, being then the long Vacation, on the Second of *September*, when Tradeſmen were generally abroad in the Countrey, ſome in the remoteſt parts of *England*, to fetch in their debts.

Fifthly, The cloſeneſs of the Buildings in that place, facilitating the progreſs of the Fire, and hindring the uſual remedy which was by Engines to ſhoot Water.

Sixthly, The matter of the Buildings thereabouts, which was generally wooden, and of old Timber.

Seventhly, The long continued drought of the preceding Summer, even to that day, which had ſo dryed the Timber, that it was never more apt to take fire.

Eighthly, The matter of Wares in thoſe parts, where were the greateſt Magazines and Store-houſes of Oyls, Pitch, Tar, Rozin, Wax, Butter, Brimſtone, Hemp, Cordage, Cheeſe, Wine, *&c.*

Ninthly, An Eaſterly Wind, the drieſt of all other that had continued long before, and then did blow very ſtrongly

Tenthly,

Tenthly, The unexpected failing of the Water, the *Thames* Water-Tower then out of order, and burnt down, immediately after the beginning of the fire, ſo that moſt Water Pipes were ſoon dry.

Laſtly, An unuſual negligence at firſt, and a confidence of eaſily quenching the Fire, on a ſudden changed into a general conſternation and deſpondency, all People chuſing rather by flight to ſave their Goods, then by a vigorous oppoſition to ſave their Houſes, and the City.

Theſe cauſes thus ſtrangely concurring, (to ſay nothing of Gods juſt anger, for the notorious impenitency of the Citizens, for their abetting and inſtigating the ſhedding of the precious innocent Blood, both of Gods Anointed, and of their other cheif Governors, both in Church and State, for their ſtill going on in their old hainous ſins of *Deſpiſing Dominions, and ſpeaking evil of Dignities*, till there was no remedy) thoſe forementioned cauſes, ſo wonderfully concurring by a general prodigious Conflagration did make a greater ſpoil in the ſpace of Three days, *viz.* From Sunday morning to Wedneſday morning, then Three or four Armies, unreſiſted, could probably have done in twice the time; for (to give the *Reader* ſome little Proſpect of the huge damages done by this Fire) it hath been computed by an ingenious perſon, that there were burnt in all, within the Walls of this City, Twelve thouſand Houſes, and without the Walls, One thouſand Houſes;

all which valued one with another, at no more then 25 *l.* yearly Rent, which at the low rate of Twelve years purchase, will amount in the whole to Three millions and nine hundred thousand pounds sterling. Then the Eighty seven Parish Churches, the most spacious Cathedral Church of S. *Paul*, Six Consecrated Chappels, the *Royal Burse* or *Exchange*, the great *Guild-Hall*, the *Custome-House*, the many magnificent Halls of Companies, the several Principal City Gates, with other Publick Edifices, may well be valued at Two millions.

The Wares, Houshold-stuff, Moneys, and other moveable Goods lost and spoiled by the Fire, may probably amount to Two millions of pounds, some say much more.

The Money spent in a general removing of Wares and Goods, during the Fire, and bringing them back afterward, in the hire of Boats, Carts, and Porters, may be well reckoned, at the least, Two hundred thousand pounds; the total whereof, is Nine millions, and Nine hundred thousand pounds, which reduced into *French Money*, will amount unto One hundred twenty eight millions and seven hundred thousand *Livres Tournois*. And yet, the Citizens recovering, after a few months, their Native Courage, have since so chearfully and unanimously set themselves to rebuild the City, that within the space of four years, they have erected in the same streets, ten thousand houses, and laid out for the same,

Three

Three millions of pounds ſterling, counting but 300 *l.* a houſe one with another: (beſides whole Streets built and now building in the Suburbs by others:) as if the late Fire had onely purged the City, the Buildings are become infinitely more beautiful, more commodious, and more ſolid (the three main vertues of all Edifices) then before; nay, as if the Citizens had not been any way impoveriſh'd, but rather inrich't by that huge Conflagration, they may be ſaid to be even wanton in th ir Expences upon the ſtately Italian *Facciatta's* or Fronts of their new Houſes, (many of *Portland* ſtone, as durable almoſt as *Marble*) upon their richly adorned Balconies, Signes, Portals, &c. They have made their Streets much more large and ſtraight; and whereas before they dwelt in low, dark, deform, *Wooden* Cottages, they now live in lofty, lightſome, uniform *Brick* Buildings; ſo that although our gracious King cannot ſay of this His Capital City, as one of the Emperors ſaid of *Rome*, *Lateritiam inveni, Marmoream reliqui*, yet he may ſay of it what is almoſt equivalent, *Ligneam inveni, Lateritiam reliqui.* And of a Principal Structure of this City, the Royal Exchange, His Majeſty may ſay, *Lateritiam inveni, Saxeam reliqui*: whereof take here this following brief Account.

The

THe former Burſe began to be erected in the year 1566. juſt one hundred years before it was burnt: it was built at the coſt and charges of a noble Merchant Sir *Thomas Greſham*, and in a ſolemn manner by a Herald and Trumpet, in the preſence and by the ſpecial Command of Queen *Elizabeth*, proclaimed and named the *ROYAL EXCHANGE*: it was built moſt of Brick, and yet was the moſt ſplendid Burſe (all things conſidered) that was then in *Europe* (before the building whereof the Burſe for Merchants was kept in *Lumbard-ſtreet*).

Now it is built within and without of the forementioned excellent ſtone, with ſuch curious and admirable Architecture, that it ſurpaſſeth all other Burſes, *Quantum lenta ſolent inter Viburna Cupreſſi*.

It is built Quadrangular, with a large Court, wherein the Merchants may aſſemble, and the greateſt part, in caſe of rain or hot ſun-ſhine, may be ſheltered in ſide-Galleries or Portico's. The whole Fabrick coſt above fifty thouſand pounds, whereof one half is diſburſed by the Chamber of *London*, or Corporation of the City, and the other half by the Company of *Mercers*: and to reimburſe themſelves, there will be let to hire 190 Shops above ſtairs, at 20 *l.* yearly rent each, and 30 *l.* for fine, beſides the ſeveral Shops below, on the Eaſt and Weſt ſides, and the huge vaulted

vaulted Cellers under ground, ſo that it will be the richeſt piece of ground, perhaps, in the whole world; for, according to exact dimenſions, the ground whereon this goodly Fabrick is erected, is but 171 foot from North to South, and 203 foot from Eaſt to Weſt (for it is *Quadratum oblongum*) ſo that it is but very little more then three quarters of an Acre of Ground, and will produce above 4000 *l.* yearly Rent.

The River whereon is ſeated this Great City, for its breadth, depth, gentle, ſtrait, even courſe, extraordinary wholeſome water and Tides, is more commodious for Navigation then perhaps any other River in the world. The Sea flows gently up this River fourſcore miles, that is, almoſt to *Kingſton*, twelve miles above *London* by land, and twenty by water, bringing the greater Veſſels to *London*, and the ſmaller beyond; then againſt the Stream, boats are drawn to *Oxford*, and higher many miles.

It is high water at this City as oft as the Moon comes to the North Eaſt and South Weſt points of Heaven, the one in our Hemiſphere, and the other in the other Hemiſphere. The higheſt Tides are upon a Land Flood, the Wind North-weſt at the Equinoctial, and the Moon at full: when theſe four cauſes concur (which is very rare) then the *Thames* ſwells in ſome places over its Banks, and *Weſt-*

minſter,

minster is a little endammaged in their Cellars, not in their Chambers and upper Rooms, as the City of *Rome* sometimes is by the overflowing of the *Tiber*, and *Paris* by the *Seyne*.

This River opening Eastward towards *Germany* and *France* is much more advantageous for Traffick than any other River of *England*. To say nothing of the variety of excellent Fish within this River, the fruitful fat soil, the pleasant rich Meadows, and innumerable stately Palaces on both sides thereof; in a word, the *Thames* seems to be the very Radical moisture of this City, and in some sense, the natural heat too, for almost all the Fuel for firing is brought up this River from *Newcastle*, *Scotland*, *Kent*, *Essex*, &c.

From this River the City by water Engins is in many places supplyed with excellent wholsome water; also from almost twenty Conduits of pure Spring water; and moreover, by a new River, brought at a vast charge and exquisite skill (by Sir *Hugh Middleton* who deserves his Statue in Brass) from *Amwell* and *Chadwell*, two Springs near *Ware* in *Hartfordshire*, from whence, in a turning and winding course, it runs threescore miles, before it reaches this City; In some places the Channel is necessarily thirty foot deep, in other places it is carried over valeys more then twenty foot high above ground, in open Troughs. Over this new River

River are made eight hundred Bridges, ſome of Stone, ſome of Brick, and ſome of Wood: Six hundred men have been at once employed in this great work. It was begun 1608. and finiſhed in five years. It ſerves the higheſt parts of *London* in their lower Rooms, and the lower parts in their higheſt Rooms.

The vaſt Traffick and Commerce whereby this City doth flouriſh, may be gueſſed at chiefly by the Cuſtoms which are paid for all Merchandiſe imported or exported, which are but very moderate Impoſitions in compariſon of the Impoſts of moſt other Countries of *Europe*, and yet the Cuſtoms of the Port of *London* onely amount to above three hundred thouſand pounds a year: By the infinite number of Ships, which by their Maſts reſemble a Foreſt as they lye along this ſtream, beſides many that are ſent forth every year to carry and fetch Commodities to and from all parts of the known world, whereby it comes to paſs, that no ſmall number of Merchants of *London*, for Wealth, for ſtately Houſes within the City for Winter, and without for Summer, for rich Furniture, plentiful Tables, and honorable living, *&c.* excel ſome Princes in divers of our neighbour Nations: Moreover, one may conjecture at the huge Commerce by the infinite number of great well furniſhed Shops; which a *Spaniard* once obſerving, together with the

the great number of Law suites, in Term time, made this report of *London* to his Country-men, that it was indeed a great City, but made up of nothing but *Tiendas y Contiendas*, Shops and Sutes: whereas he might rather have said more truly, in a few more words, *viz.* that *London* is a huge Magazin of Men, Money, Ships, Horses and Ammunition of all sorts of Commodities necessary or expedient for the use or pleasure of mankind: that *London* is the mighty Rendevous of Nobility, Gentry, Courtiers, Divines, Lawyers, Physitians, Merchants, Seamen, and all kinds of excellent Artificers, of the most refined Wits and most excellent Beauties; for it is observed that in most Families of *England*, if there be any Son or Daughter that excels the rest in Beauty or Wit, or perhaps Courage or Industry, or any other rare quality, *London* is their *North-star*, and they are never at rest till they point directly thither.

The Government of this City, considering the greatness and populousness thereof is very admirable, and might take up a Volume in the description thereof.

The Ecclesiastical Government is by a Bishop, was in the time of the *Britains* by an Archbishop, but when it became subject to the *Saxons*, the Archiepiscopal Sea, was placed at *Canterbury*, not because that was

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the more worthy City, but for the ſake of Saint *Auſtin*, who firſt preacht the Goſpel there to the Heathen Saxons, and was there buried. Since which time it hath been under a Biſhop above ten Centuries and a half, in a continual ſucceſſion, in which ſpace there are reckoned 99 Biſhops of *London* to the Preſent worthy Biſhop thereof, the grave, learned, pious, divine Doctor *Humphry Henchman* conſecrated Biſhop of *Salisbury* 1660. and tranſlated to *London* 1663. To his Cathedral alſo belongs a Dean, a Chapter, a Treaſurer and Thirty Prebendaries, all perſons of worth.

For the Eccleſiaſtical Government of the ſeveral Pariſhes, there are are placed many excellent Divines, that have the Cure of Souls, a Rector or Vicar for every Pariſh, and theſe have for a long time had the repute of the moſt excellent way of Sermonizing in Chriſtendom, inſomuch as divers Divines of foreign Reformed Churches have come hither on purpoſe to learn their manner of haranguing in the Pulpit.

For maintaining theſe Divines with their families there is in every Pariſh a Parſonage or Vicaridge houſe, and in moſt a competent allowance in Tithes. Antiently the Parſons due in *London*, beſides the Tithes of the Trades-mens Gains, and Mortuaries, Obits, &c. was 3 *s.* 5 *d.* in the pound of the yearly Rent, of all Houſes and Shops; and this was paid as Offerings on Sundayes and Holidayes onely a half penny for each pound, whereby the Pariſhioners did hardly

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feel it, although the Sundayes and Holy-dayes were so many that in a whole year it amounted to 3 *s.* 5 *d.* in the pound. Afterwards many Holidayes being taken away, and the Clergy Means thereby abated, it was ordained 25 *H.* 8. that 2 *s.* 9 *d.* in the pound of all Rents of Houses and Shops should be paid yearly to the Parson, whereunto the *Londoners* did not onely consent (as they had good reason, it being much less in the pound then before) but bound themselves by an Act of Common Council to perform the same, and the said Ordinance was confirmed in Parliament 27 *Hen.* 8. and again 37 *Hen.* 8. with a power given to the Lord Mayor to commit to prison any Citizen that should refuse to pay his Tythes and Dues according to that proportion. But since the Reformation, many men willing to think Tythes a rag of Popery, or else making no conscience of robbing God, have devised many base and fraudulent wayes by double Leases, by great Fines and small Rents, and several other wayes to cheat the Law and their God, *Mal.* 3. 8. complaint whereof being made to King *James* 1618. it was declared in his Court of *Exchequer* by the Barons there, that the Inhabitants of *London*, and of the Liberties thereof, ought still (according to the aforementioned Acts) to pay 2 *s.* 9 *d.* in the pound, according to the true yearly value of the Rent of their Houses and Shops from time to time; but the Citizens (who think 2000 *l. per annum.* not enough for an Al-

derman

derman or for a Lawyer: and yet 200*l.* too much for a Paſtor of a Pariſh) oppoſing the ſame, the buſineſs lies yet uneſtabliſhed, to the great diſhonor of the Reformed Religion.

The Civil Government is not (as it is at *Paris*, *Rome*, *Madrid*, *Vienna*, and other Capital Cities) by a chief Magiſtrate, ſome Nobleman ſet over the City by the King or Supreme Governor; or, as it was here, in the time of the *Romans*, when the chief Magiſtrate was called (as it is ſtill in *Rome*) the *Prefect* of *London*, or, as it was in the time of the *Saxons*, when he was called the *Portgreve*, that is, *Cuſtos* or *Guardian*, and ſometimes *Provoſt* of *London*, but after the coming in of the *Normans*, the chief Magiſtrate was called *Bailive* (from the French word *Bailler*, *tradere*, *committere*) that is *Commiſſarius*, or one that hath Commiſſion to govern others, and there were ſometimes two *Bailiffs* of *London*, till King *Rich.* I. *Anno* 1189. changed the name of *Bailiff* into *MAYOR*, which alſo, being derived from the French, hath continued ever ſince, a Citizen choſen by the Citizens annually, unleſs ſometimes for the diſloyalty of the Citizens, their Priviledges and Franchiſes have been taken from them, and a Guardian ſet over them, as was done by *Hen.* III. and *Edw.* I.

Of latter times, the Mayor of *London*, though alwayes a Citizen and Tradeſman hath been of ſuch high repute and eſteem that in all writing and ſpeaking to him, the

the Title of *Lord* is prefixt, which is given to none others, but either to Noblemen, to Bishops, Judges, and of later times to the Mayor of *York*, or to some of the highest Officers of the Realm. He is also for his great Dignity usually knighted by the King, before the year of his Mayoralty be expired.

His Table is, and also the Table of each Sheriff, such, that it is not only open all the year to all commers, strangers, and others, that are of any quality, but so well furnished, that it is always fit to receive the greatest Subject of *England*, or of other Potentate; nay, it is recorded, that a Lord Mayor of *London* hath feasted four Kings at once at his Table.

His domestick Attendance is very honorable, he hath seven Officers that wait on him, who are reputed Esquires by their places, that is, the Sword-bearer; the Common Hunt, who keepeth a gallant Kennel of Hounds for the Lord Mayors Recreation abroad; the Common Cryer, and four Water Bailiffs. There is also the Coroner, three Sergeants Carvers, three Sergeants of the Chamber, a Sergeant of the Channel, four Yeomen of the Water-side, one Under-water Bailiff, two Yeomen of the Chamber, three Meal-weighers, two Yeomen of the Wood-wharfs, most of which have their servants allowed them, and have Liveries for themselves.

His State and Magnificence is remarkable, when he appears abroad, which is uſually on horſe-back with rich capariſon, himſelf alwayes in long Robes, ſometimes of fine Scarlet cloth richly furred, ſometimes Purple, ſometimes Puke, with a great Chain of gold about his neck, with many Officers walking before, and on all ſides of him, *&c.* but more eſpecially on the 29. of *October* when he goes to *Weſtminſter* in his Barge, accompanied with all the Aldermen, all his Officers, all the ſeveral Companies or Corporations in their ſeveral ſtately Barges, with their Arms, Colours, and Streamers; and having there in the Exchequer Chamber taken his ſolemn Oath to be true to the King, returns in like manner to *Guild-Hall*, that is the great Common Hall of Guilds or incorporated Confraternities, where is prepared for him and his Brethren a moſt ſumptuous Dinner, to which many of the great Lords and Ladies, and all the Judges of the Land are invited.

This great Magiſtrate upon the Death of the King, is ſaid to be the prime perſon of *England*; and therefore when King *James* was invited to come and take the Crown of *England*, *Robert Lee*, then Lord MAYOR of *London* ſubſcribed in the firſt place, before all the great Officers of the Crown, and all the Nobility.

He is uſually choſen on *Michaelmas* day, out of the 26 Aldermen, all perſons of great wealth and wiſdom.

His Authority reaches not only all over this great City, and a part of the Suburbs, but also on the famous River of *Thames* Eastward as far as *Tendale* or *Tenleet*, and the mouth of the River *Medway*, and Westward as far as *Colny* ditch above *Staines* Bridge. He hath power to punish and correct all that shall annoy the Stream, Banks, or Fish, onely the strength and safety of the River against an Invasion, and securing Merchandizing and Navigation by Blockhouses, Forts, or Castles is the Care of the King.

To the Lord Mayor and the City of *London* belong divers Courts of Judicature of high importance. The highest and most antient Court is that called the Hustings (*i.e.*) *Domus Causarum*, which doth preserve the Lawes, Rights, Franchises, and Customs of the City. There is a Court of Requests or Conscience. The Court of the Lord Mayor and Aldermen, where also the Recorder and Sheriffs sit. Two Courts of the Sheriffs, one for each Counter. The Court of the City Orphans, whereof the Mayor and Aldermen have the custody. The Court of Common-Council consisting (as the Parliament of *England*) of two Houses, one for the Lord Mayor and Aldermen, and the other for the Commoners: in which Court are made all By-laws which bind all the Citizens of *London*; for every man either by himself, or by his Representative gives his Assent thereunto, wherein consists the great happiness of the English Subject above all the Sub-

Subjects of any other Prince in the world, that neither in Laws nor By-laws, neither in Taxes or Impoſts, any man is obliged, but by his own conſent. There is another Court of the Chamberlain of the City, to whom belongs the Receipts of the Rents, and Revenues of the City, and to his Court the buſineſs of Apprentices, over whom he hath a great authority. To the Lord Mayor alſo belongs the Courts of Coroner, and of Eſcheator, and another Court for the conſervation of the River of *Thames*. Laſtly, the Court of Goal-delivery held uſually eight times a year at the *Old-Baily*, both for the City and *Middleſex*, for the Tryal of Criminals, whereof the Lord Mayor is the chief Judge, and hath power of reprieving condemned perſons.

There are other Courts called Ward-mote, or the meeting of Wards, whereof there are 26 in the whole City: In which Court inquiry is made into all things that can conduce to the regulating and well governing of the City. Alſo the Court of Hall mote, or Aſſembly of every Gild or Fraternity for regulating what belongs to each Company in particular.

The Traders of *London* are divided into Companies, or Corporations, and are ſo many Bodies Politique: Of theſe there are 12, called the chief Companies, and he that is choſen Lord Mayor muſt be free of one of theſe Companies, which are 1 Mercers, 2. Grocers, 3. Drapers, 4. Fiſhmongers, 5. Goldſmiths, 6. Skinners,

ners; 7. Merchant-Taylors, 8. Haberdaſhers, 9. Salters, 10. Ironmongers, 11. Vintners, 12. Clothworkers: All which Companies have Aſſembly places called Halls, which are ſo many Baſilikes or Palaces, and many of them worthy to be viewed by all Strangers. It hath been the cuſtom of ſome of our Kings, to honour ſome of theſe Companies by taking their freedom thereof; and the preſent King was pleaſed to be made free of the Company of Grocers, and the preſent Prince of *Orenge*, lately choſe to be made free of the Company of Drapers.

There are beſides near 60 other Companies, or Corporations, all enjoying large Priviledges by the Kings Gracious Charter, granted unto them, and fair Halls to meet in.

For the ſecurity and defence of this famous City and River, there have been antiently divers Fortreſſes; but that called the *Tower* of *London*, hath been eminent above all others. It is not only a Fort or Cittadel, to defend and command both City and River, but a Royal Palace, where our Kings with their Courts have ſometimes lodged; a Royal Arſenal, where are Arms and Ammunition for 60000 Soldiers; the Treaſury for the Jewels and Ornaments of the Engliſh Crown; the only Mint for coyning of Gold and Silver; the great Archive where are conſerved all the Records of the Court of *Weſtminſter*; the chief Priſon for the ſafe cuſtody of great Perſons

Perſons that are Criminal: in ſhort, if the great extent thereof within the Walls be conſidered, and its authority over the ſeveral Hamlets without, and the many high Priviledges and Liberties belonging thereto, it may rather be reputed a City then a Cittadel.

The Tower of *London* is out of all County or Pariſh (only a ſmall part, ſome hold to be in *Middleſex*) is a liberty of it ſelf, exempt from all Taxes to the King, to the Church, or to the Poor. It hath a Parochial Church, exempt from all Eccleſiaſtical Jurisdiction of the Archbiſhop, and is a Donative beſtowed by the King without Inſtitution or Induction. There are Thirteen Hamlets in ſeveral Pariſhes, of large extent, belonging to the Tower, whoſe Trainbands are all bound to aſſiſt the Conſtable or Lieftenant of the Tower, they are all called the Kings Company, are to wait on the Kings perſon in time of need, and to go no farther than the King.

Within the Tower is kept the Office of Maſter of the Ordnance, called in *France*, *le grand Maſtre de l'Artillerie* ſo called, *ab arte telorum mittendorum*) and hath been alwayes an Office of great Account and Importance, commonly conferred on perſons of great eminency and integrity. It hath the ordering of that grand Magazin there lodged, wherein, and at the *Minories*; *Woolwich*, and *Chatham* is Ammunition at all times for as many Land and Sea forces

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as may not onely defend *England*, but be formidable to all our Neighbours.

The place of Master of the Ordnance, is, since the death of that accomplished Gentleman Sir *William Compton*, executed by Commissioners, *viz.* by the Lord *John Berkley*, now Lord Lieutenant of *Ireland*, Sir *John Duncomb* Knight, and *Thomas Chichely* Esquire.

Lieutenant of the Ordnance, is *David Walter* Esquire, and Groom of his Majesties Bed-chamber, and the Pay-master is Captain *George Wharton*; Surveyor is *Jonas More* Esquire; Keeper of the Stores is *Richard March* Esquire; Clerk of the Ordnance is *Richard Sherborn* Esquire; Clerk of the Deliveries is *George Clerk* Esquire. Under which several Officers there are many Officers and Servants, for brevity sake to be passed over.

The forementioned Commissioners have the charge and superintendence of all the Ordnance, Arms offensive, Ammunition of War by Sea and Land.

The Lieutenant of the Ordnance is Treasurer, doth receive and disburse all moneys touching this Office.

The Surveyor of the Ordnance doth supervise all Arms.

Clerk of the Ordnance is to record all Orders touching that Office.

Keeper of the Stores is to have the custody of all the Arms offensive.

Clerk of the Deliveries takes Indentures for all Stores issued out.

All

All theſe hold by Patent immediately from the King.

All Inferior Officers and Artificers places, are in the gift of the Maſter, or Commiſſioners of the Ordnance.

Moreover, in the *Tower* is kept the office of Warden of the Mint, where onely, of later times, is minted all the Bullion that is minted in *England*.

The Warden of the Mint is a very conſiderable charge, and is at preſent Sir *Anthony St. Leger*.

Maſter Worker is *Henry Slingsby* Eſquire. Comptroller is *James Hore* Eſquire. Theſe hold by Patent of the King.

Aſſay-Maſter to try the pureneſs of the Mettal, is Mr. *John Brittle*.

Surveyor of the Meltings, and Clerk of the Irons, is Mr. *Thomas Swallow*.

There is moreover, a Weigher, a Teller, and a Graver; all which five laſt named Officers hold alſo by Patent from the King, but are to be approved by the three firſt Commiſſioned Officers, in whoſe cuſtody is all Money or Bullion brought in by the Subject.

There are beſides many other Inferior Officers and Servants belonging to the Mint.

The office of His Majeſties Records, kept in the *Tower* of *London*, is of venerable Antiquity, and the place of Keeper, and Deputy of the ſame, dignified with ſpecial truſt, whereof Sir *Algernon May* Knight, is at preſent the Keeper, ſalary 500 *l. per*

annum; and *William Ryley* Esquire, of the *Inner Temple*, is Deputy thereof.

This place is properly in the Master of the Rolls his gift; and then His Majesty by His Letters Patents, hath usually confirmed it.

As the Chappel of the *Rolls* in *Chancery-lane*, and *Petty-Bag* office, doth fill with Records out of other Offices, they are transmitted into the *Tower* after some years, for it hath been the wisdom and care of former Ages, to send the Records of several Courts to the *Tower*; for their preservation and safety, not onely as a Policy of State, but the particular Interest of all Men, having Estates requiring it, there being many precedents for it remaining in the Records of the *Tower*; and a particular Form of a Writ to send the Records in the Chappel of the *Rolls* to the *Tower* of *London*. The Records of the *Tower* (amongst other things) contain the Foundations of Abbeys, and other Religious Houses, and the Records in the Rolls contain the dissolution of those Abbeys, and the donation of the Lands, of which, many Families are now possest; and if those Records were all in one place, the people might have access unto them, all under one and the same search and charge, which would be a great ease and benefit to the people, and a safety to the Records of this Nation.

Besides,

Besides these Records at the *Rolls* being joyned to those in the *Tower*, will make a perfect continuance of all the Ancient Rights of the *English* Nation, which are now set forth in the Records of the *Tower*, whereof these following are a few heads or particulars of them, *viz.*

The Leagues of Foreign Princes, and the Treaties with them.

And all the Atchievements of this Nation in *France*, and other Foreign Parts.

The Original of all the Laws that have been Enacted or Recorded, until the Reign of *Richard* the Third.

The Homage and Dependency of *Scotland* upon *England*.

The Establishment of *Ireland*, in Laws and Dominions.

The Dominion of the *British Seas*, totally excluding both the *French* and *Hollander*, to Fish therein, without Licence from *England*, proved by Records before the Conquest.

The Interest of the *Isle of Man*, and the Isles of *Jersey*, *Gernsey*, *Sark*, and *Alderny*; which four last are the remaining part of the *Norman* possession.

The Title to the Realm of *France*, and how obtained.

And all that the Kings or Princes of this Land, have until that time done abroad, or granted or confirmed unto their Subjects at home or abroad.

Tenures of all the Lands in *England*, Extents or Surveys of Mannors and Lands, Inquisitions, *post mortem*, being of infinite advantage upon tryals of Interest or Descent.

Liberties and Priviledges granted to Cities and Towns Corporate, or to private Men; as Court-Leets, Waiffs, Estrays, Mercats, Fairs, Free-warren, Felons Goods, or what else could come to the Crown, or pass out of it.

Several Writs, Pleadings, and Proceedings, as well in *Chancery*, as in all the Courts of *Common Law*, and *Exchequer*.

Inspeximus's and Inrolments of Charters and Deeds, made and done before the Conquest, Deeds and Contracts between party and party, and the just establishment of all the Offices in the Nation.

The Metes and Bounds of all the Forests in *England*, with the several respective Rights of the Inhabitants therein to Common of Pasture, *&c.* Besides many other Priviledges and Evidences, which are too long to be here repeated or inserted.

And are therefore in the Petition of the Commons of *England* in Parliament, *An.* 46 *Edw.* 3. *num.* 43. said to be the perpetual Evidence of every Mans right, and the Records of this Nation, without which no story of the Nation can be written or proved.

These Records are reposited within a certain Place or Tower, called *Wakefield Tower*,

Tower, adjoyning to the *Bloody Tower*, near *Traytors Gate*. There is another place called *Julius Cæsars* Chappel in the *White Tower*: The going up to this Chappel, is in *Cold Harbor*, Eighty four Steps up, with Six or eight great Pillars on each ſide, and at the upper end thereof, there was a Marble Altar; which in the late times of Rebellion, was cauſed to be beaten down, as a Monument of Tyranny and Superſtition.

There are many Cart load of Records lying in this place, out of which, *William Prynne* Eſquire, late Keeper of the ſame, with indefatigable labor, Collected and Printed many of Publick Utility. *Annis*, 1659, 1660, 1662, 1664. in Four ſeveral Volumes, beginning *Primo Regis Johannis*, for before that time there are no Rolls, but onely *Chartæ Antiquæ*, or Ancient Tranſcripts made and done, before and ſince the Conqueſt, until the beginning of King *John*. Then follows His Son *Henry* the Third, where the firſt Offices *Poſt Mortem* begins. Then there is *Edward* the Firſt, Second, and Third, *Richard* the Second, *Henry* the Fourth, *Henry* the Fifth, *Henry* the Sixth, and *Edward* the Fourth, and the Inquiſitions *Poſt Mortem*, of *Richard* the Third, who reigned onely Three years. The Rolls of that King are in the Chappel of the Rolls in *Chancery Lane*.

The Rolls in the *Tower* are variouſly diſtinguiſhed, *viz*. *Rotuli Patentium Cartarum Parliamentorum*, *Clauſarum finium*, *Scotiæ*,

Scotiæ, *Vasconiæ*, *Franciæ*, *Hiberniæ*, *Walliæ*, *Normanniæ*, *Alemanniæ*, *Oblatæ*, *Liberatæ*, *Extractæ*, *Perambulationes*, *Forestæ*, *Scutag. Rotul. Marescal*, *Romæ*, *de Treugis Chart. & Patent. fact. in partibus transmarinis. Patent de Domibus Judæorum Protection. de Perdonation. &c. Staplæ*, *cum multis aliis*, which are lately depicted upon the outside of every Press in the Repository belonging to each Kings Reign, and very easily to be brought forth for the use of the Client.

By a Table of Orders hanging up in the said Office, and subscribed by the Keeper hereof.

The same is to be kept open, and constantly attended for all Resorters thereto, from the hours of Seven till eleven of the Clock in the Morning, and from One till five in the Afternoon, every day of the week, except in the Moneths of *December*, *January*, and *February*, and in them, from Eight till eleven in the morning, and from One to four in the Afternoon, except on Holidays, Publick Fasting and Thanksgiving days, and times of great Pestilence.

The Governor of this great and important Fortress, being called *The Lieutenant of the Tower*, is usually a Person of great worth and fidelity, who is, *Virtute Officii*, to be in Commission of the Peace for the Counties of *Kent*, *Surrey*, and *Middlesex*. He is High Steward of a Court there held; hath

hath a Deputy, and may refuſe an *Habeas Corpus*, may give Protection to all Debtors belonging to the *Tower*, *Infra Regnum Angliæ*. Hath the Priviledge to take *Unam lagenam*, Two Gallons and a Pint *Ante malum, & retro*, of all Wine Ships that come, and to be, as ſome hold, *Cuſtos Rotulorum* of the County of *Middleſex*. His Salary is 200 *l. per annum*. His uſual Fee for every Priſoner ſent to the *Tower*, who are commonly Men of Eſtates is 20 *l.* and 3 *l* a week for an Eſquire, and 5 *l.* for a Knight. For a Baron or above 50 *l.* at entrance, to whom the King allows weekly 10 *l.* whereof two parts go to the Priſoner, the third to the Lieutenant for Lodgings and Diet; and 50 *l.* to the Lieutenant upon the Priſoners diſcharge.

The preſent Lieutenant of the *Tower* is Sir *John Robinſon* Baronet.

The Gentleman Porter of the *Tower* holds his place by Patent, and at the entrance of a Priſoner, hath for his Fee *Veſtimenta ſuperiora*, or elſe a Compoſition for the ſame.

The Gentleman Jaylor is put in by the Lieutenant of the *Tower*, his Fee is 41 *s.* of a Gentleman, and 5 *l.* of a Knight: Then there are Forty Warders of the *Tower*, accounted the Kings Domeſtick Servants, and ſworn by the Lord Chamberlain of His Majeſties Houſhold, or by the Clerk of the *Check*.

The Moneys allowed by the King to the ſeveral Officers and Servants in the *Tower*,

and for keeping in repair that huge ſtructure, amounts to a vaſt ſum.

Near the *Tower* is S. *Katherines*, which hath a Royal Juriſdiction for the Eccleſiaſtical Cauſes and Probate of Wills, and belongeth to the Queen, Dr. *Bud* is Commiſſary; from whom, if any will appeal, it muſt be to the King in His Court of *Chancery*, who thereupon iſſueth out a Commiſſion under the Great Seal, as in Appeals from the *Arches* or *Prerogative*.

The next thing remarkable in the City of *London*, may be the *Bridge*; which, for admirable Workmanſhip, for vaſtneſs of Foundation, for all Dimenſions, and for the ſolid, ſtately Houſes, and rich Shops built thereon, ſurpaſſeth all others in *Europe*; it hath Nineteen Arches, founded in a deep broad River, and ſome ſay on a ſoft, ozy Ground; is Eight hundred Foot in length, Sixty high, and Thirty broad; hath a Draw bridge almoſt in the middle, and Twenty Foot between each Arch; it was built *Anno* 1209. in the Reign of King *John*. The firſt Stone-bridge in *England*, having been built above One hundred years before, by Queen *Maud*, Wife to *Henry* the *Firſt*, at *Stratford*, on the River *Lee*, Three miles from *London*; ſo called from the Highway there paſſing over a Ford, and ſince called *Stratford Bow*, from the Arched Bridge, a piece of Architecture then new to the *Engliſh* Nation.

The

The building of this Bridge of *London*, was an exceeding difficult and coſtly piece of Work, and to thoſe that conſider the conſtant great Flux and Reflux at that place, it ſeems, almoſt impoſſible to be done again. The charges of keeping it in repair, is ſo great, that it hath been thought fit by our Anceſtors to have a large Houſe, a vaſt Revenue in Lands and Houſes, divers conſiderable Officers, *&c.* to be ſet apart for the conſtant care and repair thereof.

Concerning this *Bridge*, and the ſtupendious ſite and ſtructure thereof; take here the fancy of an ingenious Perſon deceaſed.

WHen Neptune *from his Billows* London *ſpi'd,*
Brought proudly thither by a High Spring-Tide.
As through a Floating Wood he ſteer'd along,
And moving Caſtles cluſter'd in a throng.
When he beheld a mighty Bridge *give law*
Unto his Surges, and their fury aw:
When ſuch a Shelf of Cataracts *did roar,*
As if the Thames *with* Nile *had chang'd her ſhoar.*
When he ſuch Maſſie Walls, ſuch Towers did eye,
Such Poſts, ſuch Irons upon his back to tie,

When such vast Arches he observ'd, that might
Nineteen Rialto's *make, for depth and height.*
When the Cerulean *god these things survey'd,*
He shook his Trident, *and astonish'd said,*
Let the whole Earth, now all Her Wonders count,
This Bridge *of Wonders is the* Paramount.

Not far below this famous Bridge is placed the *Custome House*, where is received and managed all the Impositions laid on Merchandise Imported or Exported from this City, which are so considerable, that of all the Customs of *England*, divided into three parts, the Port of *London* pays Two thirds, that is above 330000 *l.* yearly. In this Office there are employed many persons of great ability and worth, Collectors, Customers, Comptrollers, Surveyors, Registers, whereof some have Salaries of 500 *l.* yearly, besides many perquisites.

The House where this great Office was kept, being destroyed by the late Fire, is now rebuilt in a very much more magnificent, uniform, and commodious manner by the King, and will cost His Majesty 10000 *l.* the building.

There are at present within this City of London, *divers other very considerable Offices, whereof take the account following.*

Of

Of the Office of Poſt-Maſter General.

THe Profits of the ſaid Office are ſetled by Act of Parliament, on his Royal Highneſs the Duke of *York*; but His Majeſty doth conſtitute His *Poſt-Maſter General* by Letters Patents under the Great Seal of *England*, and, accordingly hath conferred that Office upon the Right Honorable *Henry* Lord *Arlington*, His Principal Secretary of State.

The preſent Poſt-Maſter General keepeth one Grand or General Office in the City of *London*, from whence, Letters and Pacquets are diſpatched.

Every Monday, to *France*, *Italy*, *Spain*, *Flanders*, *Germany*, *Sweden*, *Denemark*, *&c.* and to *Kent*.

Every Tueſday, to the *United Netherlands*, *Germany*, *&c.* And to all parts of *England*, *Scotland*, and *Ireland*.

Every Wedneſday, to *Kent* onely, and the *Downs*.

Every Thurſday, to *France*, *Spain*, *Italy*, and all parts of *England* and *Scotland*.

Every Friday, to the *Spaniſh* and *United Netherlands*, *Germany*, *Sweden*, *Denemark*, and to *Kent*.

Every Saturday, to all parts of *England*, *Scotland*, and *Ireland*.

And

And the Answers of the said Letters and Pacquets, are received in the said Office in due Course: And from thence dispersed, and delivered according to their respective directions, with all expedition.

The said Office is managed by a Deputy, and other Officers, to the number of Seventy seven Persons; who give their actual attendance respectively in the dispatch of the business.

Upon this Grand Office depends One hundred eighty two Deputy Post-Masters in *England* and *Scotland*; most of which, keep Regular Offices in their Stages, and Sub Post-Masters in their Branches; and also in *Ireland*, another General Office for that Kingdom, which is kept in *Dublin*, consisting of Eighteen like Officers, and Forty five Deputy Post-Masters.

The present Post-Master General keeps constantly for the transport of the said Letters and Pacquets.

Between *England* and
- *France*, Two Pacquet-Boats.
- *Flanders*, Two Pacquet-Boats.
- *Holland*, Three Pacquet-Boats.
- *Ireland*, Three Pacquet-Boats.

And at *Deal*, Two Pacquet-Boats for the *Downs*.

All which Officers, Post-Masters, Pacquet-Boats, are maintained at his own proper charge.

And

And as the Maſter piece of all thoſe good regulations, eſtabliſhed by the preſent Poſt-maſter General, for the better government of the ſaid office, he hath annexed and apropriated the Market Towns of *England*, ſo well to the reſpective Poſt-ſtages, that there is no conſiderable Market-Town, but hath an eaſy and certain Conveyance for the Letters thereof to and from the ſaid grand office, in the due Courſe of the Mailes every Poſt.

Note alſo, that all Letters are conveyed with more expedition and leſs charges then in any forreign Country.

A Letter containing a whole ſheet of Paper is conveyed 80 miles for 2 *d.* 2 ſheets 4 *d.* and an ounce of Letters but 8 *d.* and that in ſo ſhort a time by night as well as by day, that every 24 hours, the Poſt goes 120 miles, and in 5 dayes, an anſwer of a Letter may be had from a place 300 miles diſtant from the Writer. Moreover if any Gentleman deſires to ride Poſt to any principal Town of *England*, Poſt-Horſes are alwayes in readineſs (taking no Horſe without the conſent of his owner) which in other Kings reigns was not duly obſerved; and only 3 *d.* is demanded for every Engliſh mile, and for every Stage to the Poſt boy 4 *d.* for conducting.

Beſides this excellent convenience of conveying Letters and Men on Horſeback, there is of late ſuch an admirable commodiouſneſs both for Men and Women of better rank to travel from *London*, to almoſt

any

any great Town of *England*, and to almoſt all the Villages near this great City, that the like hath not been known in the World, and that is by Stage Coaches, wherein one may be tranſported to any place, ſheltred from foul weather and foul ways, free from endamaging ones health or body by hard jogging, or over violent motion, and this not onely at a low price, as about a ſhilling for every 5 miles, but with ſuch velocity and ſpeed, as that the Poſts in ſome forreign Countryes make not more miles in a day, for the Stage Coaches called flying Coaches make Forty or Fifty miles in a day, as from *London* to *Oxford* or *Cambridge*, and that in the ſpace of Twelve hours, not counting the time for Dining, ſetting forth not too early, and coming in not too late. This office is now kept in *Biſhopſgate-ſtreet*.

Of the Kings great Wardrobe.

THis Office was uſually kept within the City, near Puddle Wharfe, in an antient Houſe built by Sir *John Beauchamp*, Son to *Guy de Beauchamp*, Earl of *Warwick*, and afterward ſold to King *Edward* the Third.

The Maſter or Keeper of the Great Wardrobe

drobe is an office of great Antiquity and Dignity.

High Priviledges and Immunities were conferred by *Henry* the Sixth, and confirmed by his ſucceſſors, King *James* enlarged the ſame, and ordained that this Great Officer ſhould be an incorporation or Body Politique for ever.

His Office is to make Proviſions for Coronations, Marriages, and Funerals, to furniſh the Court with Beds, Hangings, Carpets, and other neceſſaries; to furniſh Houſes for Ambaſſadors at their firſt arrival here; Preſents for Foreign Princes and Ambaſſadors, Cloaths of Eſtate, and other furniture for the Lord Lieutenant of *Ireland*, Lord Preſident of *Wales*, and all His Majeſties Ambaſſadors abroad, to provide all Robes for Foreign Knights of the Garter, for the Officers of the Garter, Coats for Heralds and Purſuivants at Arms, Robes for the Lord Chancellor, Lord Treaſurer, *&c.* Rich Liveries for the two Lords Chief Juſtice, all the Barons of the Exchequor, divers Officers in thoſe Courts, all Liveries for His Majeſties domeſtick ſervants: all Linnen for the Kings perſon, *&c.*

To defray all the forementioned charges, ordinarily there is expended yearly, about twenty five thouſand pounds, beſides all Extraordinaries, as Coronations, Funerals, *&c.*

This Office is at preſent enjoyed by *Edward Montague*, Earl of *Sandwich*, one of

of His Majesties most Honourable Privy Council, and Knight of the most Noble Order of the Garter.

The present Salary to his Lordship in compensation of all other antient Fees and Allowances is yearly 2000 *l.*

The said House near *Puddle Wharfe* was long ago annext for ever to the Master of this Office; but since the great Fire this Office is kept in the *Savoy*.

The chief Officers under the Master are; a Deputy, *Thomas Townsend* Senior, Esq; his Salary 200 *l.* and a Clerk, *Thomas Townsend* Junior, Esq; whose Salary in compensation of all Fees and Allowances is yearly 300 *l.*

Both these Officers had likewise fair dwelling houses, which were also consumed by the fire.

Belonging to this Office are divers Tradesmen, Artificers, and others, to the number of about 40 all sworn Servants to the King.

To this Office have lately been added by Patent, during pleasure, two considerable Officers, *viz.* a Controuler, *Andrew Newport* Esquire, Brother to the Lord *Newport*; and a Surveyour, Colonel *Bullen Reymes*, whose Salaries are 300 *l.* yearly to each one.

Of the Colledges in London.

THe Famous City of *LONDON* may not unfitly be stiled an Universi-

ty

ſity, for therein are taught all Liberal Arts and Sciences, not onely Divinity, Civil Law, Phyſick, which in other Univerſities are uſual, are read here, but alſo the Municipal or Common Law of the Nation is here taught, and Degrees taken therein, which can be ſaid in no other Nation: Moreover all ſorts of Languages, Geography, Hydography, the Art of Navigation, the Art of Fortification, Anatomy, Chirurgery, Chymiſtry, Calligraphy, Brachygraphy, or Short-Hand, the Arts of Riding, Fencing, Dancing, Art Military, Fire-works, Limming, Painting, Enamelling, Sculpture, Architecture, Heraldry, all ſorts of Muſick, Arithmetick, Geometry, Aſtronomy, Grammar, Rhetorick, Poetry, and any other thing that may any way contribute to the accompliſhment of an ingenious Nobleman or Gentleman.

The Colledges of Municipal or Common-Law Profeſſors and Students, are 14 called ſtill *Innes*, the old Engliſh word for Houſes of Noblemen or Biſhops, or of extraordinary note, and which is of the ſame ſignification with the French word *Hoſtel* at *Paris*.

There are Two Inns of Sergeants, Four Inns of Court, and Eight Inns of Chancery.

The Inns of Chancery were probably ſo named; becauſe there dwelt ſuch Clerks as did chiefly ſtudy the forming of Writs, which regularly appertain to the

the Cursitors that are Officers of Chancery. The first of these is called *Thavies* Inn, begun in the Reign of *Edward* the Third, and since purchased by *Lincolns* Inn, as was also *Furnivals* Inn, then there is *Bernards* Inn, *New* Inn, *Clements* Inn, *Cliffords* Inn, antiently the House of the Lord *Clifford*, *Staple* Inn belonging to the Merchants of the Staple; and *Lyons* Inn, antiently a common Inn with the Sign of the *Lyon*.

These were heretofore preparatory Colledges for younger Students, and many were entred here, before admitted into the Inns of Court.

Now they are for the most part taken up by Atturneys, Sollicitors and Clerks, who have here their Chambers apart, and their Dyet at a very easy rate in a Hall, together where they are obliged to appear in grave long Robes, and black round knit Caps. These Colledges belong all to some Inns of Court, who send yearly some of their Barresters to read to to these. In these Inns of Chancery one with another, may be about Sixty persons.

The Innes of Court were so named, as some think, because the Students therein are to serve the Courts of Judicature; or else becaus antiently these Colledges received onely the Sons of Noble men, and better sort of Gentlemen, as *Fortescue* affirmeth.

Of

Of these there are Four: First, The *Two Temples*, heretofore the dwelling of the Knights Templers, and purchased by some Professors of the Common Law, above Three hundred years ago. They are called *The Inner and Middle Temple*, in relation to *Essex House*, which was a part of the Knights Templers, and called *The Utter Temple*, because it is seated without *Temple Bar*.

The two other Inns of Court are *Lincolns* Inn, belonging anciently to the Earls of *Lincoln*; and *Greys* Inn belonging to the Noble Family of the *Greys*.

In the Reign of *Henry* the Sixth, they so flourished, that there were in each of these about Two hundred Students, and a Student then expended yearly about 20 *l.* Which was as much as Two hundred pounds now; for they had usually (as the *French* Nobles have now in their Academies) every one an old discreet Servant, and divers Masters for to instruct them in all laudable qualities; and therefore, saith the same *Forteſcue*, *Ultra Studium legum, ſunt quaſi Gymnaſia omnium morum.* And the Students were onely, saith he, *Nobilium Filii*, that is, Gentlemen, at least; for so the word *Nobilis* was then taken here, and is still in *France*: And therefore by command of King *James*, none were to be admitted into these Colledges, but Gentlemen by descent. Our Ancestors thought those of inferior rank, would rather debase the honor of the Law, and would be prone

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to *chicane*, or play tricks, and not like to be so fit for Trusts and Honors, whereas the consideration of Birth and Fortune, makes Men more careful of their Honor and Reputation.

These Societies are no Corporations, nor have any Judicial Power over their Members, but have certain Orders among themselves, which have, by consent, the Force of Laws: For lighter offences they are onely excommoned, or put out of Commons, not to eat with the rest; and for greater offences they lose their Chambers, and are expelled the Colledge; and being once expelled, they are never received by any of the Three other Societies. Which deprivation of Honor to young generous Spirits, is more grievous then perhaps deprivation of life.

These also, when they meet at Chappel or Hall, or at Courts of Justice, wear a grave black Robe and Cap, at other times walk with Cloak and Sword.

There are no Lands or Revenues belong to these Societies, which being no Corporations, are not enabled to purchase, nor have they any thing for defraying the charges of the House, but what is paid at Admittances, and Quit-Rents for their Chambers.

The whole Company of Gentlemen in each Society, may be divided into Four parts, Benchers, Utter Barristers, Inner Barristers, and Students.

Benchers are the Seniors, to whom is committed

committed the Government, and ordering of the whole House; and out of these, is chosen yearly a Treasurer, who receiveth, disburseth, and accounteth for all Moneys belonging to the House.

Utter Barristers are such, as, For their Learning and Standing, are called by the Benchers to plead and argue in the Society doubtful Cases and Questions, which are called *Moots* (from meeting the old *Saxon* word for the *French Assemble*, or else from the *French Mot* a word.) And whilest they argue the said Cases, they sit uttermost on the Forms or Benches, which they call the Bar.

Out of these Mootmen are chosen Readers for the *Inns of Chancery*, belonging to the *Inns of Court*, whereof they are Members; where in Term time, and grand Vacations they argue Cases in the presence of Attorneys and Clerks.

All the rest are accounted Inner Barristers, who for want of Learning or Time, are not to argue in these Moots; and yet in a Moot before the Benchers, two of these Inner Barristers sitting on the same Form with the Utter Barristers, do for their Exercises recite by heart the pleading of the same Moot-Case in *Law French*; which Pleading is the Declaration, at large, of the said Moot-Case; the one taking the part of the Plaintiff, and the other of the Defendant.

The year also amongst them, is divided into three parts, The Learning Vacation, the

the Term-times, and the dead or mean Vacation.

They have two Learning Vacations, *viz.* Lent-Vacation, which begins the first Monday in *Lent*, and continueth three weeks and three days; and Summer Vacation, which begins Monday after *Lammas-day*, and continueth also three weeks and three days. In these Vacations are the greatest Conferences and Exercises of Study in manner following.

The Benchers appoint the eldest Utter Barrester to read amongst them openly in the Hall, whereof he hath notice half a year before. He then, the first day about eight of the clock makes choice of some Act or Statute, whereupon he grounds his whole Reading for that Vacation, and declares such mischiefs and inconveniencies as were unprovided before the same Act, and now are provided by the said Act, and then reciteth certain Doubts and Questions, which he hath devised, that may grow upon the said Statute, and declareth his Judgment therein: After which, one of the younger Utter Barresters repeateth one Question propounded by the Reader, and doth by way of Argument labor to prove the Readers opinion to be against Law; and after him, the Senior Utter Barrester and Readers, one after another, according to Seniority, do declare their Opinions and Judgments in the same: And then the Reader, who did put the Case, endeavoreth

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to confute Objections laid againſt him, and to confirm his own Opinion: After which, the Judges and Sergeants, if any be preſent, declare their Opinions; then the youngeſt Utter Barreſter again rehearſeth another Caſe, which is proſecuted as the former was. And this Exerciſe continueth daily about Three or four hours.

Out of thoſe who have read once in the Summer Vacation, and are Benchers, is choſen always one to read in *Lent*, who obſerves the like manner of Reading, as before is expreſſed.

Out of theſe Readers uſually the Sergeants are choſen.

The manner of Mooting in the Innes of Court, is thus.

IN theſe Vacations after Supper in the Hall or, after Drinking on Faſting-nights, the Reader with one or two of the Benchers comes in, to whom one of the Utter Barreſters propounds ſome doubtful Caſe; which being argued by the Benchers, and laſtly, by him that moved the Caſe, the Benchers ſit down on the Bench, at the upper end of the Hall, whence they are called *Benchers*: And upon a Form, in the middle of the Hall, ſit two Inner Barreſters; and on both ſides of them, on the ſame Form, ſitteth one Inner Barreſter, who doth in *Law French* declare to the Benchers

Benchers (as Sergeants do at the Bar in the Kings Courts to the Judges) some kinde of Action; the one being, as it were, retained for the Plaintiff, and the other for the Defendant: Which ended, the two Utter Barresters argue such Questions, as be disputable within the Case. After which, the Benchers do likewise declare their Opinions, how they take the Law to be in those Questions.

In these Mootings, the Junior always argueth first, as is used amongst the Judges in the *Exchequer Chamber*, and amongst the Sergeants in open Courts of Judicature. The Inner and Utter Barrester plead here in *Law French*, and the Benchers in *English*; and at the Readings, the Readers Cases are put in *English*.

Mootings in the Inns of Chancery, *are thus.*

IN the Learning Vacations, each Utter Barrester, who is a Reader in the *Inns of Chancery*, go with two Students of the same Inn of Court, to the Inn of Chancery, where he is appointed to Read, and there meet him commonly two of each Inns of Court, who sitting as the Benchers do in the Inns of Court at their Moots, they hear and argue his Case.

In the Four *Inns of Chancery* that are situated in *Holborn*, the Moots are read, either

either by those of *Greys* Inne or *Lincolns* Inne, the others by the two Templers.

In Term time, the only Exercises of Learning, is arguing and debating Cases, after Dinner, and Mooting after Supper, in the same manner as in the Vacation time.

The time between the learning Vacations and Terms, is called the mean Vacation, during which time every day after Dinner, Cases are argued, as at other times; and after Supper, Mootes are brought in and pleaded by the Inner Barristers, in the presence of the Utter Barrister, which sit there in the Room of the Benchers, and argued by them, as the Benchers do in Term time and learning Vacation.

The Manner of keeping a Christmas in any of the Innes of Court, thus.

THe Students hold a Parlament before *Christmas*, and in case there be in *London* no Pestilence, and that the House is furnished with such a number of Students, and of such quality as are meet to keep a solemn Christmas; then are chosen and appointed certain of the Students to be Officers, in imitation of the Kings Court, as Comptroller, Treasurer, *&c.*

These bear rule in the House during the whole time of Christmas; and are to behave themselves in that Port, Gravity, and Authority, as if they were so in the Kings House, that so hereafter, they may know the better to behave themselves in case they should be promoted to that Honour: for these Gentlemen are usually of such quality, as come not hither with intent to profess the Law, but to learn so much Law, as may be necessary to preserve their Estates, and to make themselves accomplisht in other qualities, necessary for Gentlemen.

At such time, they have here divers divertisements, as Feasting every day, singing, dancing, Musick which last is allowed there to all Comers, and is so excessive, that what the Dicers allow out of each winning to the Butlers box, usually amounts to above 50 *l.* a day and night, wherewith, and a small contribution from each Student, are the great charges of the whole Christmas defrayed.

Sometimes, when their publick Treasury is great, they create a Prince among themselves, with such Title, as they please to give him, and he hath all his Officers, and a Court sutable to a great Prince, and many of the prime Nobility and great Officers of State, are feasted and entertained by him with Enterludes, *&c.*

From *All Saints* day to *Candlemas*, each House usually hath Revels on Holy-dayes, that is, Musick and Dancing; and for this

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is choſen ſome young Student to be Maſter of the Revels.

Note, *that the manner of their Parlament is briefly thus.*

Every Quarter commonly, the Benchers cauſe one of the ſtanding Officers of the Houſe to ſummon a Parlament, which is onely an Aſſembly and Conference of Benchers and Utter-Bariſters, which are called the Sage Company, and meet in a place called the Parlament Chamber, and there Treat of ſuch matters, as ſhall ſeem expedient for the good ordering of the Houſe, and the Reformation of ſuch things as they ſhall judge meet to be Reformed. Here are the Readers for Lent and Summer vacation elected, alſo the Treaſurer is here choſen, and the Auditors appointed to take the Accounts of the old Treaſurer, *&c.* Here offences committed by any of the Society are puniſhed, *&c.*

Theſe Innes of Court are moſt wiſely ſituated by our Anceſtors, between the Kings Courts of Judicature, and the moſt opulent City of *London.*

In the Four Innes of Court are reckoned about 800 Students.

Laſtly, there are two more Colledges called Sergeants Inne, where the Common-Law Student, when he is arrived to the higheſt degree, hath his Lodging and Dyet. Theſe are called *Servientes ad Legem*, Sergeants at Law, and are as Doctors in

the Civil Law, only these have heretofore been reputed more Noble and Honourable, *Doctoris enim appellatio est Magisterii, Servientis vero Ministerii*, and therefore Doctors of Law are allowed to sit within the Bar in Chairs and covered, whilst Sergeants stand without the Bar bareheaded, only with Coifs or Caps on.

To arrive to this high Degree, take this brief account.

The young Student in the Common Law, being born of a Gentile Stock, and bred two or three years in the University, and there chiefly versed in Logick and Rhetorick, both expedient for a Lawyer, and gotten some insight into the Civil Law, and some skill in the French Tongue, as well as Latin, he is admitted to be one of the Four Innes of Court, where he is first called a Moot man, and after about Seven years study, is chosen an Utter Barister, and having then spent Twelve years more, and performed the Exercises before mentioned, he is chosen a Bencher, and some time after a Reader during the Reading which heretofore was Three weeks and Three days, the Reader keeps a constant and sumptuous Feasting, inviting the chief Nobles, Judges, Bishops, great Officers of the Kingdom, and sometimes the King himself (as that most accomplished Lawyer, the present Atturney General did) that it costs them sometimes 800 or 1000 *l.*

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Afterward he wears a long Robe, different from other Baristers, and is then in a capacity to be made a Sergeant at Law, when His Majesty shall please to call him, which is in this manner.

When the number of Sergeants is small, the Lord Chief Justice of the Common Pleas, by the advice and consent of the other Judges, make choice of Six or Eight, more or less, of the most Grave and Learned of the Innes of Court, and presents their Names to the Lord Chancellor or Lord Keeper, who sends by the Kings Writ, to each of them to appear on such a day before the King, to receive the State and Degree of Sergeant at Law; at the appointed time, they being habited in Robes of two colours, *viz.* Brown and Blew; come accompanyed with the Students of the Innes of Court, and attended by a train of Servants and Retainers, in certain peculiar cloth Liveries, to *Westminster-Hall*, there in publick take a solemn Oath, and are clothed with certain Robes and Coyfs, without which they may no more be seen in publick; after this they feast the great persons of the Nation, in a very magnificent and Princely manner, give Gold Rings to the Princes of the Blood, Archbishops, Chancellor and Treasurer, to the value of Forty shillings each Ring: to Earles, Bishops, Rings of Twenty shillings: to other great Officers, to Barons, great Prelates, *&c.* Rings of less value.

Out of these are chosen all the Judges of the Kings Bench and Common Pleas, wherefore all those Judges do alwayes wear the white Linnen Coyfe, which is the Principal Badge of a Sergeant, and which he had ever the Priviledge to wear at all times, even in the Kings presence, and whilst he spake to the King, though anciently it was not permitted to any Subject, to be so much as capped in the Presence of the King of *England*, as at present it is not allowed in the presence of the Pope or of the Emperour.

When any of the aforementioned Judges are wanting, the King by advice of His Council, makes choice of one of these Sergeants at Law, to supply his place, and constitutes him by Letters Patents, Sealed by the Chancellor, who sitting in the middle of the rest of the Judges in open Court, by a set Speech declares to the Sergeant (that upon this occasion is brought in) the Kings pleasure, and to the people, the Kings goodness, in providing the Bench with such able honest men, as that Justice may be done expeditely and impartially to all His Subjects, and then causes the said Letters Patents to be read; and being departed, the Chief Justice places the said Sergeant on the Bench, *junior* of all the rest; and having taken his Oath well and truly to serve the King and His people in the Office of Justice, to take no reward, to do equal and speedy Jus-

Juſtice to all, *&c.* he ſits himſelf to the Execution of his Charge.

The Sergeant being thus advanced to be a Judge, hath thereby great Honour, and a very conſiderable Salary, beſides certain perquiſits, for each one hath at leaſt One thouſand pound a year from the King; and now in ſome things, his former habit of a Sergeant is altered, his long Robe and Cap, his Hood and Coif are the ſame, but there is beſides, a Cloak put over him, and cloſed on his right ſhoulder, and inſtead of a *Caputium* lined with Lambskin, now a *Caputium* lined with *Minever*, or *de Minuto varia*, divers ſmall pieces of white rich Furre.

Note, that to the two Sergeants Innes belong the Twelve Judges, and about Twenty ſix Sergeants.

Antiently, the Fee expected by a Sergeant from his Client for Advice given at his Chamber, or for pleading in any Court of Judicature, was no more then Twenty ſhillings, and the Fee of a Bariſter Ten ſhillings, (which yet is much more then is uſually given in any of our neighbour Nations at this day) but at preſent, it is become almoſt ordinary, to give ſome Setgeants Ten pound, and ſometimes Twenty pound, and to a Bariſter, half as much, at the hearing of any conſiderable Cauſe, whereby it comes to paſs, that ſome Lawyers in one year gain in Fees Three thouſand pounds, and ſome Four thouſand pounds, and in few

years purchase Estates fit for Lords, and sometimes live to see themselves advanced to be Peers of the Realm, as the late Lord Keepers, *Coventry*, *Finch*, and others.

Now all these forementioned Innes or Colledges for the Students in our Common law, being not far distant one from another, do make the most famous Profession of the Law that is in the World: and it will be a very difficult thing to find in any one Forreign University, so many Students of the Law, that are of that ripe age past Childhood, and of that high quality, most Gentlemen, and a considerable number of the Sons of the higher Nobility.

Of

Of the Colledge of Civilians, called Doctors Commons.

ALthough Degrees in the Civil Law may be had onely in *Oxford* and *Cambridge*, and the Theory beſt there to be acquired; yet the Practice thereof, is moſt of all in *London*, where a Colledge was long ſince purchaſed by Dr. *Henry Harvey*, Dean of the Arches, for the Profeſſors of the Civil Law in this City; and where commonly did reſide the Judge of the Arches, the Judge of the Admiralty, and the Judge of the Prerogative Court, with divers other eminent Civilians, who there living (for Diet and Lodging) in a Collegiate manner, and Commoning together, it was uſually known by the name of *Doctors Commons*, and ſtood near S. *Pauls*, in the Pariſh of S. *Bennets Pauls-Wharf*; which being conſumed by the late dreadful Fire, they now all reſide at *Exeter* Houſe in the *Strand*, in the ſame manner (until their Houſe be rebuilt) and keep there their ſeveral Courts and Pleadings every Term, which begins and ends almoſt at the ſame time with the Term at *Weſtminſter*.

The cheif Court of the Archbiſhop, is that of the Arches, whereof ſee more in

the Chapter of the *Eccleſiaſtical Government* of *England*.

The Principal, Official, or Judge of this Court is ſtiled *Dean of the Arches*, and is at preſent Sir *Giles Sweit* Knight, Doctor of Laws.

He ſitteth alone without any Aſſeſſors, and heareth and determineth all Cauſes, without any Jury of Twelve Men, as is neceſſary in Common Law Courts.

To this Court belongeth an Actuary, a Regiſter, and a Beadle.

The Office of the Actuary is to attend the Court, ſet down the Judges Decrees, Regiſter the Acts of the Court, and ſend them in Books to the Regiſtry. This Office is enjoyed by *John Clements*, Batchelor of Laws, and Publick Notary.

The Regiſter of the Court is another of the ſame name, whoſe Office is by himſelf, or Deputy to attend the Court, receive all Libels or Bills, Allegations and Exhibets, examines all Witneſſes, Files all Sentences, and keeps the Records of the Court.

The Beadle attends the Court, carrieth a Mace before the Judge, and calls the Perſons cited to appear.

Thoſe that are allowed to be Advocates, and plead in this Court, are all to be Doctors of the Civil Law, in one of our *Engliſh* Univerſities; who upon their Petition to the Archbiſhop of *Canterbury*, and his *Fiat* obtained, are admitted by the Judge of this Court, upon condition not

to

to practice for one whole year, after ſuch admittance.

The manner of their Admittance is thus, The Two Senior Advocates in their Scarlet Robes, with the Mace before them, conduct him up to the Court, with three low Reverences, and preſent him with a ſhort Latin Speech, and the Reſcript of the Archbiſhop: Then the Oaths of Allegiance, Supremacy, and ſome other preſcribed in the Statute of the Arches, being taken, he is admitted by the Judge, and a place or ſeat in the Court aſſigned unto him, which he is always to keep when he pleads.

The Judge and all the Advocates, in this Court, always wear their Scarlet Robes, with Hoods lined with Taffata, if they be of *Oxford*; or White Minever Fur, if of *Cambridge*; and all round, Black Velvet Caps.

Here followeth a Catalogue of the Names of all the Advocates, *according to Seniority, not Precedence.*

DOctor *Martin.*
Dr. *Heath.*
Dr. *King*, Chancellor of *Ely.*
Dr. *Lewen*, Knight, Maſter of *Chancery.*

Dr.

Dr. *Aldern*, Chancellor of *Rocheſter*.
Dr. *Wiſeman*, Knight. Kings Advocate.
Dr. *Chaworth*, Knight. Vicar-General to the Archbiſhop of *Canterbury*.
Dr. *Walker*, Knight. Advocate to the Lord High Admiral.
Dr. *Pepys*.
Dr. *Mills*, Chancellor of *Norwich*.
Dr. *Cruſoe*.
Dr. *Baldwin*, Knight. Maſter of *Chancery*, and Chancellor of *Worceſter* and *Hereford*.
Dr. *Nicholſon*, Chancellor of *Gloceſter*.
Dr. *Lowen*.
Dr. *Wake*, Chancellor of *Peterborough*.
Dr. *Watkinſon*.
Dr. *Birkenhead*, Knight. Maſter of *Requeſts*, and Maſter of the *Faculties*.
Dr. *Warren*.
Dr. *Bud*, Commiſſary of *Huntingdon*.
Dr. *Alworth*, Chancellor of *Oxford*.
Dr. *Jones*.
Dr. *Exton*, Chancellor of *London*.
Dr. *Hughs*.
Dr. *Lloyd*, Commiſſary of *Weſtminſter*.
Dr. *Boucher*.
Dr. *Maſters*, Chancellor of *Exeter*.
Dr. *Clark*, Profeſſor of Law in *Cambridge*.
Dr. *Leighton*, Knight.
Dr. *Digby*.
Dr. *Lom*.
Dr. *Trumbal*.
Dr. *Falconbridge*.
Dr. *Pinfold*, Official of the Archdeacon of *London*.

Dr.

Dr. *Elliot*, Chancellor of *Salisbury*.
Dr. *Raims*.
Dr. *Briggs*, Chancellor of *Chichester*.
Dr. *Oldys*.
Dr. *Meal*.

There are divers other Civilians, whereof some, not Advocates of this Court, are Chancellors to Bishops, or Commissaries, as

Sir *Mundiford Brampstone*, Knight. Doctor of Laws, and Chancellor of *Winchester*.
Dr. *Burrel*, Chancellor of *Durham*.
Sir *Edward Lake* Knight. Doctor of Laws, and Chancellor of *Lincoln*.
Dr. *Dean*, Chancellor of *Bath* and *Wells*.
Dr. *Wainwright*, Chancellor of *Chester*.
Dr. *Jones*, Chancellor of *Bristol*.
Chancellor of *Carlisle*, *Rowland Nicols*, B. D.
Mr. *Awbery*, Chancellor of S. *Davids*.
Dr. *Pennington*, Chancellor of *Bangor*.
Dr. *Powell*, Chancellor of S. *Asaph*.

Here note, That before the Vicar-General or Chancellors of the Bishops, are Tryable all Ecclesiastical Causes within their respective Dioceses, except Letters of Request are granted by the Diocesan Bishop to the Party, to sue in the Court of Arches, which is ordinary.

Note

Note also, That the Vicars-Generals and Chancellors, are appointed by the respective Archbishops and Bishops, by Letters Patents under their Seals, and confirmed by the Dean and Chapter of the respective Cathedrals; before which Confirmation, those places are Durante bene placito.

The Proctors belonging to this Court aforementioned, are persons that exhibite their Proxies for their Clients, and make themselves parties for them, and draw and give in Pleas or Libells and Allegations, in the behalf of their Clients, produce the Witnesses, prepare the Causes for Sentence, and attend the Advocates with the Proceedings.

They are also admitted by the *Fiat* of the Archbishop, introduced by the Two Senior Proctors, and are allowed to practise immediately after their admission; they wear Black Robes and Hoods lined with White Fur.

According to the Statutes of this Court, all Arguments made by Advocates, and all Petitions made by the Proctors, are to be in the Latin Tongue.

All Process of this Court, run in the name of the Judge, thus. *Egi. Sweir, Miles, LL. Dr. Almæ Curiæ Cant. de Arcubus Lond. Officialis Principalis*; and returnable before him heretofore in *Bow Church*;

Church; now in the *Common Hall* at *Exeter* Houſe.

The Places and Offices belonging to this Court, are all in the gift of the Archbiſhop of *Canterbury*, whoſe Court it is.

Here note, That the next Morning after the ſitting of this Court, the Judge of the Court of Audience *did uſually ſit, but ſince the late Troubles, that Court hath been diſcontinued.*

Next is the Court of *Admiralty*, whereof ſee more in Chapter of the *Military Government*.

The preſent Judge of this Court is Sir *Leolin Jenkins*, Knight. Doctor of Laws, whoſe Title is *Supremæ Curiæ Admiralitatis Angliæ locum tenens Judex ſive Præſidens*. The Writs and Decrees run in the name of the Lord High Admiral, and are directed to all Vice-Admirals, Juſtices of Peace, Majors, Sheriffs, Bailiffs, Conſtables, Marſhals, and others, Officers and Miniſters of our Soveraign Lord the King, as well within Liberties, as without.

To this Court belongs a Regiſter, *Orlando Gee*, Eſquire; a Marſhal, who attends the Court, and carries a Silver Oar before the Judge, whereon are the Arms of the King, and of the Lord High Admiral.

The Lord Admiral hath here his Advocate and Proctor, and all other Advocates and Proctors are preſented by them, and admitted by the Judge.

This

This Court is held on the same day with the Arches, but in the afternoon, and heretofore at St. *Margarets* Hill in *Southwark*, but now in the same Common Hall at *Exeter* house. But the Admiralty Session is still held, for the Tryal of Malefactors, and Crimes committed at Sea, at the Antient place aforesaid.

The places and Offices belonging to this Court, are in the Gift of the Lord High Admiral.

Next, is another Court belonging to the Archbishop of *Canterbury*, called the *Prerogative Court*, whereof see more in the Chapter of the *Ecclesiastical Government* of *England*.

The Judge of this Court is the forenamed Sir *Leolin Jenkins*, and his Title here is, *Curiæ Prerogativæ Cant. Magister, Custos, sive Commissarius.*

All Citations and Decrees run in the name of the Archbishop.

This Court is kept in the same Common Hall in the afternoon, next day after the Arches, and was heretofore held in the Consistory of *St Pauls*.

The Judge is attended by a Register, *Marke Cottle* Esquire, who sets down the Decrees, and Acts of the Court, and keeps the Records, all Original Wills and Testaments of parties dying, having *Bona Notabilia, &c.* The place is commonly called the *Prerogative Office*, now kept in the *Savoy*, where for a moderate Fee, one may search for, and have a Copy of any such

ſuch Teſtament made ſince the Rebellion of *Wat Tiler* and *Jack Straw*, by whom many Records and Writings, in ſeveral places of *London* were then burnt and deſtroyed.

The Places belonging to this Court are in the Gift of the Archbiſhop of *Canterbury*.

From the forementioned Courts, Appeals do lye to the Court of *Delegates*, whereof more *pag.* 76, the Judges whereof are appointed by the Lord Keeper under the great Seal of *England*, *pro illa vice*, and upon every cauſe or buſineſs there is a new Commiſſion, and new Judges, according to the nature of the Affair or Cauſe, as ſometimes Biſhops, Common-Law-Judges, and Civilians, ſometimes Biſhops and Civilians, and ſometimes Common-Law-Judges and Civilians, and ſometimes Civilians onely.

To this Court belongs a ſtanding Regiſter, and the Court is kept in the ſame Common Hall, in the afternoon, the day after the *Prerogative*.

The Citations and Decrees here run in the Kings Name.

From this Court lyes no Appeal in Common courſe.

But the King of His meer Prerogative Royal may, and many times doth grant a Commiſſion of *Review*, under the Broad Seal,

In this College alſo uſually reſides the Vicar-General, belonging to the Archbiſhop

biſhop of *Canterbury*, who as he is Primate, hath the Guardianſhip of the Spiritualties of every Biſhop within his Province during the Vacancy, and executes all Epiſcopal Power and Jurisdiction by his Vicar-General, who is at preſent in the Province of *Canterbury*, Sir *Richard Chaworth* Knight, Doctor of Laws.

The Archbiſhop of *York* hath the like Power in his Province, and his Vicar-General is Dr. *Burnel*, he alſo hath a Prerogative Court, whereof the Judge is Dr. *Levet*.

Of the Colledge of Phyſitians in London.

AMongſt other excellent Inſtitutions in the City of *London*, there is a Colledge or Corporation of Phyſitians, who by Charters and Acts of Parliament of *Henry* VIII. and ſince his Raign, have certain Priviledges, whereby no man though a Graduat in Phſick, of *Oxford* or *Cambridge*, may without Licence under the ſaid Colledge Seal, practice Phyſick in *London*, or within ſeven miles of this City, (nor in any other part of *England*, in caſe he hath not taken any Degree in *Oxford* or *Cambridge*.) Whereby alſo they can adminiſter an Oath, fine and imprifon any Offenders, in that and divers other particulars, can make By-Laws,

Laws, purchaſe Lands, *&c.* Whereby they have Authority to ſearch all the ſhops of Apothecaries in and about *London*, to ſee if their Drugs and Compoſitions are wholeſome and well made; whereby they are freed from all troubleſome Offices, as to ſerve upon Juries, to be Conſtable, to keep watch and ward, to bear Arms, or provide Armes or Ammunition, *&c.* any Member of that Colledge may practice Surgery if he pleaſe not onely in *London*, but in any part of *England*.

This Society had antiently a Colledge in *Knight-Rider-Street*, the Gift of Doctor *Linacre*, Phyſitian to King *Henry* the VIII. ſince which, a Houſe and Ground was purchaſed by the Society of Phyſitians, at the end of *Amen ſtreet*, whereon the ever famous Dr. *Harvey*, *Anno* 1652. did erect at his own proper charge a Magnificent Structure, both for a Library and a Publick Hall for the meeting of the ſeveral Members of this Society, endowed the ſame with his whole Inheritance, which he reſigned up, while he was yet living and in Health, part of which he aſſigned for an Anniverſary Harangue, to commemorate all their Benefactors, to exhort others to follow their good Examples, and to provide a plentiful Dinner for the worthy Company.

Anno 1666. This goodly Edifice could not eſcape the Fury of that dreadful Fire, and that ground being but a Leaſe, the preſent Fellows of this Colledge have purcha-

ſed

sed with their own Moneys, a fair piece of Ground in *Warwick-lane*, whereon they are now raising a suitable Edifice.

Of this Colledge there is a President, Four Censors, and Eight Elects, who are all Principal Members of the Society, and out of whom, one is every year chosen to preside.

The Four Censors of the Colledge have, by their Charter, authority to survey, correct, and govern all Physitians, or others, that shall practise in *London*, or within seven miles of the same; to fine, amerce and imprison any of them, as they shall see cause.

Here followeth a List of all the Principal Physitians, who now practise in London.

Socii Colleg. Med. Lond.

Sir *George Ent*, President.
Dr. *Hamey*.
Dr. *Glisson*.
Dr. *Salmon*.
Dr. *Stane*, Censor.
Sir *Alexander Fraser*.
Dr. *Micklethwait*.
Dr. *Paget*.
Dr. *Timothy Clark*.

Dr.

Dr. *Goddard*, Cenſor.
Dr. *King*.
Dr. *Cox*.
Dr. *Stanley*.
Dr. *Whiſtler*.
Sir *Charles Scarborough*.
Dr. *Wharton*.
Dr. *Merret*, Cenſor.
Dr. *Samuel Collins*.
Dr. *Rugeley*
Sir *William Petty*.
Dr. *Terne*.
Sir *John Baber*.
Sir *Edward Greaves*.
Dr. *Croyden*, Cenſor.
Dr. *Bevoir*.
Dr. *Wolfe*.
Dr. *Luellen*.
Sir *John Finch*.
Dr. *Bames*.
Dr. *Walter*.
Dr. *Burwell*.
Dr. *Rogers*.
Dr. *Mills*.
Dr. *Lang*.
Dr. *Betts*.
Dr. *Twiſden*.
Dr. *Waldron*.
Dr. *Barwick*.

Dr.

Dr. *Dacres.*
Dr. *Samuel Collins.*
Dr. *Collier.*
Dr. *James Clark.*
Dr. *Jasper Needham.*
Dr. *Henry Clark.*
Dr. *Carr.*
Dr. *Packer.*

Candidati.

Dr. *Stracey.*
Dr. *Terbury.*
Dr. *Allen.*
Dr. *Hodges.*
Dr. *Millington.*
Dr. *Parker.*
Dr. *Jo. Smith.*
Dr. *Lawson.*
Dr. *Coyse.*
Dr. *Bruce.*
Dr. *Brooks.*
Dr. *Howarth.*
Dr. *George Smith.*
Sir *Thomas Bathurst.*
Dr. *Franeklin.*
Dr. *Atfield.*
Dr. *Downes.*
Dr. *Trevor.*

Dr. *Croone.*
Dr. *Browne.*
Dr. *Burwell.*
Dr. *Short.*
Dr. *Marſhall.*

Socii Honorarii.

Dr. *Frear.*
Dr. *Parker.*
Dr. *Gourdon.*
Dr. *Denton.*
Sir *John Colladon.*
Dr. *Meara.*
Dr. *Lampriere.*
Dr. *Bowle.*
Dr. *Bacon.*
Sir *Richard Napier.*
Sir *John Hinton.*
Dr. *Coleſtone.*
Dr. *Charleton.*
Dr. *Dawtrey.*
Dr. *Deodati.*
Dr. *Fogarſius.*
Dr. *Hames.*
Dr. *Jo. Skinner.*
Dr. *Timme.*
Dr. *Warner.*
Dr. *Harris.*

Dr. *Argall.*
Dr. *Arris.*
Dr. *Langham.*
Dr. *Meverell.*
Dr. *Stanley.*
Sir *Theodore de Veaux.*
Dr. *Witherley.*
Dr. *Titchborne.*
Dr. *Woodcock.*
Dr. *King.*
Dr. *Tayler.*
Dr. *Bright.*
Dr. *Moore.*
Dr. *Curſellis.*
Dr. *Walgrave.*
Dr. *Ball.*
Dr. *Duke.*
Dr. *Harriſon.*
Dr. *Man.*
Dr. *Barebone.*
Dr. *Napier.*
Dr. *Gelſthorpe.*
Dr. *Griffith.*
Dr. *Walter Needham.*
Dr. *Moeſter.*
Dr. *Carter.*
Dr. *Trapham.*
Dr. *Henry Gliſſon.*
Dr. *Charleton.*

Dr. *John Clark.*
Dr. *Cavendish.*
Dr. *Dennis Gourden.*
Dr. *Bridgood.*
Dr. *Yardley.*
Dr. *Browne.*
Dr. *Paman.*
Dr. *Fisher.*
Dr. *Grinder.*
Dr. *Lawrence.*
Dr. *Willis.*
Dr. *Dickenson.*
Dr. *Fielding.*
Dr. *Medford.*
Dr. *Grey.*
Dr. *Sagittary.*
Dr. *White.*
Dr. *Waterhouse.*

Permissi.

Dr. *Wedderburn.*
Dr. *Trist.*
Dr. *Lenthall.*
Dr. *Barrough.*
Dr. *Broome.*
Dr. *Welman.*
Dr. *Vermuden.*
Dr. *Sydenham.*

Antiently, the usual Fee of a Doctor was 20 *s.* and of one that had not taken that degree 10 *s.* at present there is no certain rule: But some that are eminent, have received in Fees yearly, 2 or 3000 *l.* and purchase great Estates; which in other Countreys is very rare.

Besides the worthy persons mentioned in the List above, there are divers Physitians, that have good practice in *London*, although they never had any Licence, which is connived at by the Colledge; and so is the too much practise of *Empericks, Mountebanks, Pretended Chymists, Apothecaries, Surgeons, Wise-women, &c.* In which piece of folly, the English surpass all the Nations of Christendom.

And yet, by the Law of *England*, if one who is no Physitian or Surgeon, or not expresly allowed to practise, shall take upon him a Cure, and his Patient die under his hands; this is Felony in the person presuming so to do.

Of the Colledge of Heralds.

NOt far from the Colledge of *Doctors Commons*, stood the Colledge of *Heralds*, that is, of such as are to be Messengers of War and Peace, that are skilful in Descents, Pedigrees, and Coats or Armories,

Armories, an Ancient House, built by *Thomas Stanley*, Earl of *Derby*, who married the Mother of King *Henry* the Seventh, and bestowed by Queen *Mary* on the Kings Heralds, and Pursuivants at Arms for ever, to the end that they, and their Successors might dwell together (if they so pleased) and assemble, confer, and agree for the good Government of their Faculty, and that their Records might there safely be preserved, *&c.*

They were made a Colledge or Corporation, by Charter of King *Richard* the Third, and by him had several Priviledges granted unto them; as, to be free from Subsidies, Tolls, and all troublesome Offices of the Kingdom.

Afterwards, another Charter of Priviledges was granted unto this Society by King *Edward* the Sixth, in the third year of His Reign.

Of this Collegiate Society are first, three, stiled *Reges Armorum Anglorum*, Kings at Arms, six called *Heralds*, and four Pursuivants at Arms.

Amongst the Kings at Arms, the first and principal is called *Garter*, instituted by King *Henry* the Fifth, whose office is to attend the Knights of the Garter at their Solemnities, and to Marshal the Solemnities at the Funerals of all the higher Nobility of *England*, to advertise those that are chosen, of their new Election, to call on them to be installed at *Windsor*, to cause their Arms to be hung up upon their

Seats there, to carry the Garter to Kings and Princes beyond the Seas; for which purpose, he was wont to be joyned in Commission with some Principal Peer of the Realm, *&c.*

The next is *Clarencieux*, so called from the Duke of *Clarence*, to whom he first belonged; for *Lionel*, Third Son to *Edward* the Third, marrying the daughter and heir of the Earl of *Ulster* in *Ireland*, had with her the Honor of *Clare* in the County of *Twomond*, whereupon he was afterwards created Duke of *Clarence*, or the Territory about *Clare*, which Dukedom escheating to King *Edward* the Fourth, by the death of His Brother *George*, Duke of *Clarence*, He made this Herald, who properly belonged to that Duke, a King at Arms, and named him *Clarentieux* in French, and *Clarentius* in Latin. His Office is to marshal and dispose the Funerals of all the lower Nobility, as, Baronets, Knights, Esquires, and Gentlemen on the South-side of *Trent*, and therefore sometimes called *Surroy* or *Southroy*.

The third King at Arms is *Norroy* or *Northroy*, whose Office is to do the like on all the North-side of *Trent*.

The two last are called *Provincial Heralds*, *England* being by them divided into two Provinces.

These by Charter have power to visit Noblemens Families, to set down their Pedigrees, to distinguish their Arms, to appoint Men their Arms or Ensigns, and

and with *Garter* to direct the *Heralds*.

The Six Heralds anciently belonging properly to Dukes, have been ſometimes named *Dukes at Arms*, and are thus called and ranked: Firſt, *Windſor*; ſecondly, *Richmond*; thirdly, *Cheſter*; fourthly, *Somerſet*; fifthly, *York*; ſixthly, *Lancaſter*. Whoſe Office was anciently to attend Dukes in Marſhal Executions: Now they are to wait at Court, attend Publick Solemnities, Proclaim War and Peace, *&c.* thence perhaps named *Heralds*, from two *German* words, *Here* and *Healt*, that is, the *Armies Champion*, to denounce War, or offer Peace, as the *Feciales* of the *Romans* did; and from hence probably Seven *Daniſh* Kings, and ſome Kings of *Norway*, and of *Sweden*, and ſome of *England*, before the Conqueſt, have had the name of *Harold*, which is all one (ſaith *Verſtegan*) with *Herald*.

Theſe have no certain Province under them, but by turns wait upon the Kings at Arms, and have part of their Fees.

Of theſe Heralds in *England*, there were anciently many, and ſo likewiſe of Purſuivants, whereof at preſent, there are but four thus named, *Rouge Croſs*, *Rouge Dragon*, *Portcullice*, and *Blewmantle*, from ſuch Badges heretofore worn by them, as it is thought.

The ſervice of theſe, and of the Heralds, and of the whole Colledge, is uſed in marſhalling and ordering Coronations, Marriages, Chriſtnings, Funerals,

Interviews, Feasts of Kings and Princes, Cavalcades, Shews, Justs, Tournaments, Combats before the Constable and Marshal, *&c.* Also they take care of the Coats of Arms, of the Genealogies of the Nobility and Gentry, briefly, whatsoever concerns Honor, is their care and study, they are *Tanquam Sacrorum Custodes & Templi Honoris Æditui.*

All these receive Annual Stipends out of the Kings *Exchequer.* They are all to be Gentlemen at the least, and the Six Heralds are expresly made Esquires by the King, when they are created Heralds.

Anciently the Kings at Arms were Created, and solemnly Crowned by the Kings of *England* themselves, and the Heralds and Pursuivants had their Creations from the Kings hand; but of later times the Earl Marshal hath had a special Commission for every particular Creation, and to do all that before was done by the King.

For the Creating and Crowning of *Garter,* King at Arms; there are first to be provided a Sword and a Book, whereon to take a Solemn Oath, then a Gilt Crown, a Coller of S's, a Bowl of Wine, which Bowl is the Fee of the new created King, also a Coat of Arms of Velvet richly embroidered: His Creation is on this manner; first, he kneels down before the Earl Marshal, and laying his hand

on

on the Book and Sword, another King at Armes reads the Oath, which being taken, and the Book and Sword kiſſed; next are read the Letters Patents of his Office, during which, the Earl Marſhall powres the Wine on his head, and gives him the Name of *Garter*, then puts on him the Coat of Armes and Collar of S's, and the Crown on his head.

The Oath is to obey, firſt, the Supream head of the moſt noble Order of the Garter, and then the Noble Knights of that Order, in ſuch things as belong to his Office, to inquire diligently of all the Noble and notable Acts of every Knight of this Order, and thereof to certify the Regiſter of that Order, that he may record the ſame, and to give notice to the King, and the Knights of the Order, of the death of any of that Society: to have an exact knowledge of all the Nobility, to inſtruct Heralds and Purſuivants in doubts concerning the Office of Arms, to eſchew and avoid all perſons of ill reputation, to be more ready to excuſe then to blame any noble perſon, unleſs called by Authority, to witneſs againſt them, *&c.* This Officer hath a double Salary, double to the two other Kings, and hath moreover Fees at the Inſtalments; yearly wages given by the Knights of the Garter, hath the uppermoſt Garment at their Inſtallments, *&c.*

The two Provincial Kings at Armes, *Clarentius* and *Norroy*, are created by Letters Patents, a Book, a Sword, *&c.*

as *Garter*, and with almost the same Ceremonies.

A Herald at Armes is also created with the like Ceremony; onely his Coat of Armes must be Sattin, embroidered and enricht with gold, and must be brought in with two Heralds, as the Kings at Arms are by two Kings at Armes.

They take a solemn Oath to be true to the King, to be serviceable to Gentlemen, to keep secrets of Knights, Esquires, Ladies and Gentlewomen, to assist distressed Gentlemen and Gentlewomen, Widows and Virgins; to avoid Taverns, Dicing, and Whore-houses, *&c.* Pursuivants at Armes, are created also by Letters Patents, a Book, a Bowl of Wine, and a Coat of Arms of Damask, and to be brought in, as the Heralds, before the Earl Marshal, or his Deputy, and to swear in solemn manner to be true to the King, to be serviceable to all Christians, to be secret and sober, to be more ready to commend then to blame, to be humble, lowly, *&c.*

This Office since the late dreadful fire, is held in the Queens Court at *Westminster*, where are some always waiting, to satisfy comers touching Descents, Pedigrees, Coates of Armes, *&c.* as was formerly done at the forementioned house up in *London*, which is now begun to be rebuilt by the Members of the Colledge, and (it is hoped) may in a short time, by the bountiful

bountiful Contributions of all men that have any ſence of Honour remaining, be compleated to the glory of this City and Kingdom.

All of this Colledge, being the Kings ſworn ſervants, the Reader may find a Liſt of their Names, in the Firſt Part, *about the* Kings Court.

Within the Walls of *London* alſo is ſeated a Colledge, built by the forementioned worthy perſon Sir *Thomas Greſham*, and indowed in manner following: After he had built the Royal Exchange, he gave the Revenue thereof, the one Moity to the Mayor and Commonalty of *London*, and their Succeſſors; and the other moity to the Company of *Mercers* in truſt, that the Mayor and Aldermen ſhould find in all time to come, four able perſons to read within this Colledge, Divinity, Geometry, Aſtronomy, and Muſick, and to allow to each of them, beſides their fair lodging 50 *l.* a year. And that the Company of *Mercers* ſhould find Three more able men, to read Civil Law, Phyſick and Rhetorick, and to allow to each one of them beſides fair Lodgings 50 *l.* a year. And that theſe ſeveral Lecturers ſhould read in Term time, every day in the week (except Sundayes) aforenoon, in Latin, and afternoon the ſame in *Engliſh*: The Muſick Lecture to be read onely in Engliſh.

There is also within *London* another called *Sion Colledge*, founded by *Thomas White* Doctor in Divinity, for the use of the Clergy of *London*, and of the Liberties thereof; and a part thereof to be for 20 poor people, to perform all which, he gave 3000 *l.* and for the maintenance of those poor he setled 120 *l.* a year, for ever, and 40 *l.* a year for a Sermon in Latin, at the beginning of every quarter, and a plentiful Dinner for all the Clergy that shall then meet there. In this Colledge is a fair spacious Library, built by *John Sympson*, Rector of Saint *Olaves Hart street*, and one of the said Doctor *Whites* Executors, and by the bounty of divers Benefactors, this Library hath been well furnished with Books, chiefly such as are useful for Divines. This Colledge felt the rage of the late Fire, but is almost repaired again.

A little without the Walls stands another Colledge or Collegiate House, called antiently the *Chartreuse*, now corruptly the *Charter house*, it being heretofore a Covent of *Carthusian Monks*, called in French *des Chartreux*. This Colledge called also *Suttons Hospital*, consists of a Master or Governor, at present Sir *Ralph Sidenham*, a Chaplain Doctor *Thriscross*, a Master and Usher to instruct 44 Scholars; besides fourscore decayed Gentlemen, Souldiers and Merchants, who have all a plentiful

tiful maintenance of Dyet, Lodging, Clothes and Phyſick, *&c.* and live altogether in a Collegiate manner, with much cleanlineſs and neatneſs: and the four and fourty Scholars have not onely all neceſſaries whilſt they are here taught, but if they become fit for the *Univerſities*, there is allowed unto each one, out of the yearly Revenues of this Colledge 20 *l.* yearly, and duly paid, for 8 years after they come to the Univerſity, and to others fitter for Trades, there is allowed a conſiderable Sum of money to bind them Apprentices. There are moreover all ſorts of officers expedient for ſuch a Society, as Phyſitian, Apothecary, Steward, Cooks, Butlers, *&c.* who have all competent Salaries. This vaſt Revenue and Princely Foundation was the ſole Gift of an ordinary Gentleman, Mr. *Thomas Sutton*, born in *Lincoln-ſhire*: and twas of ſuch high Account as it was thought fit, that by the Kings Letters Patents under the Great Seal, divers perſons of the higheſt Dignity and Quality in Church and State, ſhould alwayes be the Overſeers and Regulators of this Society, as the Archbiſhop of *Canterbury*, the Lord Keeper, Lord Treaſurer, and 13 others.

Beſides, there are in *London* divers endowed Schools, which in *France*, would be ſtiled Colledges; as *Paul*'s School, founded 1512. by *John Colet*, Doctor of Divinity, and Dean of *Paul*'s, for 153 Children to be taught there *gratis*, for which purpoſe

purpose he appointed a Master, a Sub-master or Usher, and a Chaplain, with large stipends for ever, committing the oversight thereof to the Masters, Wardens, and Assistants of the *Mercers* in *London*; for his father *Henry Collet*, sometime Lord Mayor of *London*, was of the *Mercers* Company. This famous School was also lately burnt down, and now is reedified in a far more magnificent, commodious and beautiful manner, the worthy Master thereof is Mr. *Samuel Crumholm* alias *Cromlum*.

There are in *London* divers other endowed Schools, as Merchant-Taylors, Mercers-Chappel, *&c.* a particular Account whereof the designed Brevity of this Treatise will not admit.

It would also make this Book too much swell to give an Account of the many richly endowed Hospitals, Almes-houses, Work-houses, or Houses of Correction, the many stately built Taverns, Inns, and Coffee Houses, some whereof surpass all others in foreign parts, and are worthy to be viewed by curious Travellers, who may also find it worthy their pains, to remarque the several spatious well-built Theaters, which for variety of Scenes, excellent Actors, Language, Designs, Musick, *&c.* are hardly to be equalled: Moreover they may observe the many well furnisht Markets, the weekly Horse-fairs, the great commodiousness of Hackney-Coaches, of Sedans, of Boats, *&c.* belonging to this famous City; also to consider the City of

West-

Weſtminſter and the Burrough of *Southwark*, both which now ſeem to be ſwallowed up in *London*.

Within the Precincts of *Weſtminſter* are many Magnalia, ſeveral things are as remarkable as any aforementioned: the antient ſtately Abby Church founded before the *Norman* Conqueſt, by the Pious King *Edward* the Confeſſor, and moſt richly endowed; afterwards rebuilt from the ground by *Henry* the III. with that rare Architecture now ſeen, wherein are the moſt magnificent Tombs and Monuments of our Kings and Queens, and greateſt Nobles of *England*. To the Eaſt end of which is added a Chappel of King *Henry* the VII. which, for the moſt admirable artificial work without and within, for a Monument of maſſy Braſs, moſt curiouſly wrought, is ſcarce to be paralleld in the World.

This huge Fabrick ſtands where firſt was the Temple of *Apollo*, and afterwards King *Sebert*, the Eaſt Saxon King, that firſt built St. *Pauls* aforementioned, built here a Church to St. *Peter*.

Queen *Elizabeth* converted this Abbey into a Collegiate Church, and therein placed a Dean, 12 Secular Canons or Prebendaries, Petty Canons and others of the Quire to the number of 30, ten Officers belonging to the Church, as many ſervants belonging to the Collegiate Dyet, two Schoolmaſters, 40 Scholars, 12 Almesmen, with plentiful maintenance for all, beſides

besides Stewards, Receivers, Registers, Collectors, and other Officers, the principal whereof is the high Steward of *Westminster*, who is usually one of the prime Nobility, and is at present the Lord Chamberlain. The Dean is entrusted with the custody of the *Regalia* at the Coronation, honored with a place of necessary service at all Coronations, and a Commission of Peace within the City and Liberties of *Westminster*, the Dean and Chapter invested with all manner of Jurisdiction, both Ecclesiastical and Civil, not onely within the City and Liberties of *Westminster*, but within the Precincts of St. *Martin le grand*, within the Walls of *London*, and in some Towns of *Essex*, exempted in the one, from the Jurisdiction of the Bishop of *London*, and in the other, from that of the Archbishop of *Canterbury*.

For Ecclesiastical Causes and probate of Wills, it hath a Royal Jurisdiction, Dr. *Richard Lloyd* is Commissary, from whom Appeal must be onely to the King in his High Court of Chancery, who thereupon issueth out a Commission of Delegates under the Great Seal of *England*.

When the Convocation is adjourned from St. *Pauls* (for the conveniency of being nearer to the Parliament) to *Westminster*, the Bishops first declare (upon a Protestation made by the Dean there) that they intend not thereby to violate that high Priviledge, *viz*. *That no Bishop or Archbishop may come there without leave of the Dean first obtained.*

There

There is alſo a fair Publick Library, free for all ſtrangers to ſtudy both morning and afternoon alwayes in Term time.

Next this Church ſtood the Royal Palace, and uſual place of Reſidence for the Kings of *England*, who ordinarily held their Parliaments, and all their Courts of Judicature in their dwelling Houſes (as is done at this day at *Madrid* by the King of *Spain*) and many times ſate themſelves in the ſaid Courts of Judicature, as they do ſtill in their Court of Parliament.

A great part of this huge Palace was in the time of *Henry* the VIII. deſtroyed by fire, what remained hath ſtill been employed for the uſe of the Lords and Commons aſſembled in Parliament, and for the chief Courts of Judicature. The great Hall where theſe are kept, ſome ſay, was built by King *William Rufus*, others by King *Richard* the II. about 300 years agoe, and for all dimenſions is not to be equalled by any Hall in Chriſtendom.

Moreover, Strangers and Foreigners may take notice of the extraordinary commodiouſneſs, conveniency and ſituation of the preſent Royal Palace, and uſual place of Reſidence, called *Whitehall*, belonging heretofore to Cardinal *Woolſey*, ſeated between a noble navigable River, and a moſt delectable Park; of the great Chamber there, called the *Banquetting-Houſe*, the like whereof, for ſpatiouſneſs, beauty, and exact proportion, no King in *Europe* can parallel; of another Royal Palace, called

Saint

Saint *James's*, of *Clarendon*-House, which, for situation, and a uniform solid structure is admirable; of the many stately uniform Piles in S. *James's* Fields, of *Northumberland*-House, of *Britains Burse*, or the *New Exchange*, a place excellently furnished with all kinde of choice Commodities and Wares for Ladies; of *York*, *Salisbury*, and *Worcester* Houses; of the *Savoy*, a vast building, first erected by *Peter* Earl of *Savoy* and *Richmond*, Uncle to *Eleanor*, Wife to our King *Henry* the Third, who after purchased the same for Her Son *Edmund*, Duke of *Lancaster*; and is now a famous Hospital, built all of huge Stone, and more like a Kings Palace; of another Palace called *Somerset*-House, built by *Edward*, Duke of *Somerset*, Uncle to King *Edward* the Sixth; of the uniform stately Buildings, and forementioned large *Piazza's* or open places (for which the Cities in *Italy* are so highly esteemed) in *Covent-Garden*, *Lincolns-Inn Fields*, and *Southampton* Buildings, not to be equalled in any of our Neighbor Countreys.

As for the Borough of *Southwark*, granted by King *Edward* the Sixth, by His Letters Patents, to the Major, Commonalty, and Citizens of *London*, called *The Bridge Ward* without, and governed by one of the Twenty six Aldermen of *London*; it hath nothing much remarkable, onely, that it is so rich and populous, that it pays more in a Subsidy to the King, and musters more Men,

Men, then any other City in *England*, beſides *London*.

Laſtly, Very remarkable alſo is the Campaign or Country on all ſides of this great City, for the number of Royal Palaces, the multitude of Stately Houſes, and Gardens of Noblemen; the innumerable fair Summer Dwelling-Houſes of the Wealthy Citizens; the pleaſant fertile Meadows, encloſed Paſtures and Corn Fields; the abundance of Nurſeries and Seminaries, where are to be ſold all ſorts of Fruit-Trees, Flowers, Herbs, Roots, as well for Phyſick, as for Food and Delight; the frequency, populouſneſs, and wealthineſs of the Villages, whereas the Campaigns about *Rome* and *Madrid*, are more like Deſarts.

The Arms of the City of *London*, are Argent Croſs-Gules, with the Sword of S. *Paul*, not the Dagger of *William Walworth*, as ſome have conceited; for this Coat did belong to this City before *Walworth* ſlew *Wat Tyler*, the Rebel, as Learned Antiquaries affirm.

Of the Univerſities of England.

THe *Engliſh* Univerſities are ſo famous beyond the Seas, and ſo much ſurpaſs all other in the World, that they abundantly deſerve a larger account then can ſute with

with the designed brevity of this Manual; however they shall not be passed over in silence.

Nothing was ever devised more singularly beneficial to Gods Church, and Mans happiness, then what our Ancestors have, to their eternal renown, performed by erecting such admirable Structures for Learning, as our Universities do contain, and by providing thereby that choice parts after reasonable time spent in contemplation, may be called forth to act and practice in Church and State.

In the beautiful Fabrick of the Kingdom of *England*, the Two Eyes are the Two Universities, *Oxford* and *Cambridge*, those Two Nurseries or Seminaries of Learning and Religion, which for number and magnificence of richly endowed Colledges; for liberal Stipends to all sorts of Publick Professors; for well furnished Publick and Private Libraries, for large Charters, Priviledges and Immunities; for number and quality of Students; for exact Discipline and Order, are not to be paralleld in the whole World.

They were anciently called *Academies*, from a *Grove* so named near *Athens*, whither *Plato*, *Xenocrates*, and other Philosophers retired, for the study of *Sciences*.

Of later times they have been stiled *Universities*, *A Professione Universalium Scientiarum & Artium liberalium*.

An

An *University* now is properly an *Incorporation* (under one Government) of many Publick Schools, ordained especially for the Study and Profession of *Divinity*, *Civil Law*, and *Physick*, and also of *Philosophy*, and of other Liberal Sciences and Arts, as Hand-maids to the former.

Oxford, *Quasi* Ousford, *Isidis Vadum*, the name of the cheif River whereon it is seated; or perhaps from *Bovis Vadum*, a Ford for Oxen to pass through before the use of Bridges, as *Thracius Bosphorus* signifying the like, is by the *Germans* called *Ochenfurt*.

It is seated at the meeting of two clear Fishy Rivers, in such a healthy Air, and pleasant rich Soyl, that it hath anciently been called *Bellositum* or *Baulieu*.

It lies in 51 Degrees 50 Minutes Latitude, and about 22 Degrees Longitude.

Oxford was a place of Publick Studies above Nine hundred years ago, and much augmented (not founded) by the Learned *Saxon* King *Alfred*, hath been very anciently reckoned the *Second University* amongst the Four Principal of *Europe*, whereof the others are *Paris* in *France*, *Bononia*, now called *Bologna* in *Italy*, and *Salamanca* in *Spain*; and although *Paris* hath usually been named in the first place, yet it hath been acknowledged to be *Oxoniæ Propago*; and if *Paris* for a time was more flourishing, yet since, in many respects is it excelled by this of *Oxford*.

Oxford

Oxford is an antient City, consisting of two sorts of Inhabitants, *viz. Students* and *Citizens*, living one amongst another, though wholly separate for Government and Manners; for when former Kings of *England* perceived that they could not (as at *Paris*) be separated by a River, they thought best to disjoyn them, as much as might conveniently be by Priviledges and whole manner of Government; so that there are not the same limits, for the University have them much larger; nor the same stroke and Authority of Justice, or power of Magistrates; for the Chancellor of the University, and in his absence his Vice-Chancellor, is not onely in place, but in all affairs of Moment (though concerning the City it self) superior to the Mayor of the Town.

Nor are they governed by the same kind of Laws, for all Members of the *University* are subject to the Vice-Chancellors Judicial Courts, which are ruled wholly by the Civil Law.

Over the *University*, next under the King, is placed the forementioned Magistrate called the Chancellor; who is usually one of the Prime Nobility, and neareſt in favour with the Soveraign Prince, Elected by the Students themselves in Convocation to continue *durante vita*; whose Office is to take care of the Government of the whole *University*; to maintain the Liberties and Priviledges thereof, to call Assemblies, to hear and determine Controversies

ſies, call Courts, puniſh Delinquents, &c.

This great Honour is enjoyed at preſent by *James* Duke of *Ormond*, Lord Steward of the Kings Houſhold.

The next in Dignity amongſt the Officers of the Univerſity of *Oxford*, is the high Steward, who is nominated by the Chancellor, and approved by the Univerſity; and is alſo *durante vita*, whoſe Office is to aſſiſt the *Chancellor*, *Vice-Chancellor* and *Proctors*, upon their Requeſts in the execution of their Places; alſo to hear and determine Capital Cauſes, according to the Laws of the Land, and Priviledges of the Univerſity, ſo oft as the Chancellor ſhall require him.

This Honour is held by *John* Earl of *Bridgewater*.

The Third is the Vice-Chancellor, who is yearly nominated by the Chancellor, and is commonly the Head of ſome Colledge. His Duty is in the Chancellors abſence to do whatever almoſt the Chancellor might do if he were preſent. Moreover he takes care that Sermons, Lectures, Diſputations, and other Exerciſes be performed, that Hereticks, Fanaticks, Nonconformiſts, &c. be expelled the Univerſity, and the converſe with Students; that the Proctors, and other Officers and publick ſervants of the Univerſity, duly perform their Duty; that Courts be duly called, and Law-ſutes determined without delay; in a word, that whatever is for the Honour and Profit of

the

the University, or may conduce for the advancement of good literature, may be carefully obtained. The present Vice-Chancellor is Doctor *Richard Mews*, President of St. *Johns* Colledge.

Fourthly, the two Proctors chosen every year out of the several Colledges by turns, these are to assist in the Government of the University, more particularly in the business of Scholasticque exercises, and taking Degrees, in searching after, and punishing all violaters of Statutes, or Priviledges of the University, all Night-walkers, *&c.*

They have also the oversight of Weights and Measures, that so the Students may not be wronged.

They are at present Mr. *Alexander Pudsey* of *Magdalen Colledge*, and Mr. *Henry Smith* of *Christ Church*.

Next in order is the Publick Orator, whose business is to write Letters, according to the Orders of the Convocation, or Congregations, also at the Reception of any Prince or great Person that comes to see the University, to make solemn Harangues, *&c.* He is now *Robert South* Dr. in Divinity.

Then is the *Custos Archivorum*, or Keeper of Records, whose Duty it is, not only to collect and keep the Charters, Priviledges and Records that concern the University, but also to be always ready to produce them before the chief Officers, and to plead the Rights and Priviledges of the

said

ſaid Univerſity. This Office is now in the truſt of Dr. *Wallis*.

Laſtly, is the Regiſter of the Univerſity Mr. *Cooper*, whoſe Office is to Regiſter all Tranſactions in Convocations, Congregations, Delegacies, *&c.*

Beſides the fore-mentioned Officers, there are certain publick Servants of the Univerſity called Bedels, from the High Dutch *Bitter* or elſe from the Low Dutch *Bidden*, to ſummon, admoniſh, or pray; of theſe there are ſix, whereof three are called Squire Bedels, and carry large Maces of Silver Guilt; the other three are ſtiled Yeomen Bedels, and carry large Silver Maces unguilt.

Their Office is alwayes to wait on the Vice-Chancellor in Publick, doing what belongs to his place, and at his Command to ſeize any Delinquent, and carry him to Priſon, to ſummon any, to publiſh the calling of Courts or Convocations, to conduct Preachers to Church, or Lecturers to Schools, *&c.*

Upon more ſolemn times and occaſions there is a ſeventh that carries in his hand a Silver Rod, and is thence called the Virger, who with all the other ſix walk before the Vice-Chancellor, and is ready to obſerve his Commands, and to wait on Grand Compounders, *&c.*

Other publick Servants of leſs note, ſhall be paſſed by.

Many Kings of *England* have been great Favourers of Learning, and eſteemed it

it their honour, to give or enlarge the Priviledges of the Universities.

By Charter of *Edward* 3. the Mayor of *Oxford* is to obey the orders of the Vice-Chancellor, and to be in subjection to him.

The Mayor with the chief Burgesses in *Oxford*, and also the High-Sheriff of *Oxfordshire*, every year in a solemn manner take an Oath, given by the Vice-chancellor, to observe and conserve the Rights, Priviledges, and Liberties of the University of *Oxford*.

And every year on the day of St. *Scholastica*, a certain number of the Principal Burgesses, publickly and solemnly do pay each one a Penny, in token of their submission to the Orders and Rights of the University.

No Victuals to be taken by the Kings Purveyors within five miles of *Oxford*, unless the King himself comes thither.

King *James* of happy memory honoured both Universities, with the Priviledge of sending each two Burgesses to Parliament.

It is none of the least Priviledges belonging to the two Universities, that they are subject to the Visitation or Correction of none but the King, or whom he shall please to Commissionate.

By Charter of *Henry* 4. It is left to the choice of the Vice-Chancellor, whether any Member in the University there inhabiting, accused for Felony or High Treason, shall be tryed by the Laws of the Land, or by the Laws and Customs of the

the Univerſity, though now where life or limb is concerned, the Criminal is left to be tryed by the Laws of the Land.

No Students of *Oxford* may be ſued at common Law for Debts, Accounts, Contracts, Injuries, *&c.* but onely in the Court of the Vice-Chancellor, who hath power to determine Cauſes, to impriſon as aforeſaid, to give corporal puniſhment, to excommunicate, to ſuſpend, and to baniſh.

Antiently in *Oxford* (as now in moſt Univerſities beyond the Seas) the Students without any diſtinction of Habit, lived in Citizens Houſes, and had meeting places to hear Lectures and diſpute. After that, there were divers Houſes for Students onely to live together in Society (as now in the Innes of Court and of Chancery at *London*) and thoſe places were called either *Inns* from the *Saxon*, or *Hoſtels* from the French, and at preſent are named Halls, where every Student lived wholly upon his own charges, until divers bountiful Patrons of Learning, in their great wiſdom, thought beſt to ſettle for ever, plentiful Revenues in Lands and Houſes, to maintain in Lodging, Dyet, Cloaths, and Books, ſuch Students, as by Merit and Worth, ſhould from time to time be choſen, and to ſettle large Salaries for Profeſſors to inſtruct them, and for a head to govern them, according to certain Statutes and Ordinances made by the ſaid Patrons or Founders. And theſe are called Colledges,

whereof the first thus endowed in *Europe*, were *University*, *Baliol*, and *Merton* Colledge in *Oxford*, all made Colledges in the Twelfth Century after the Birth of Christ; although *University Colledge* hath been reckoned a place for Students ever since the year Eight hundred seventy two, by the Royal Bounty of our foresaid *Saxon* King *Alfred*, and was anciently called *The University Colledge*, where were divers Professors, and all the Liberal Sciences read.

Of such endowed Colledges there are in *Oxford* Eighteen, and of Halls, (where, with the like Discipline, Students live upon their own means, onely excepting some certain Exhibitions or Annual Pensions annexed to some one or two of them) there are seven; of all which, the names and Governors, See the first Part of the *Present State of England*.

These Colledges have within their own Walls, Lectures, Disputations, all Professions and Liberal Sciences read and taught, and in some of them, Publick Lectures for all Comers, and large Salaries for the Readers; insomuch, that they seem so many compleat Universities, and are not inferior to some of our Neighbor Countreys. *Lipsius* (whose Testimony among the learned, is very considerable) saith of one Colledge of *Oxford*, in his time, what might be said of some others there, and in *Cambridge*, *Non credo in orbe terrarum extra Angliam simile esse, addam, aut fuisse: Magnæ illic opes & vetigalia, &c.*

Verbo

Verbo vix dicam, Unum Oxonienſe *Collegium* (*rem inquiſivi*) *ſuperat vel decem noſtra.*

The whole number of Students in *Oxford* that partake of the Revenues of the Colledges, are about One thouſand; and of other Students, about twice as many.

There were anciently in this Univerſity, before the founding of Colledges, Two hundred *Hoſpitia Studioſorum*, Inns, Hoſtels, or Halls; and as *Armachanus* Writes, there were Thirty thouſand Students; and Twenty miles round *Oxford*, were by the Kings of *England* ſet apart for Proviſion in Victuals for this City.

The Diſcipline of theſe Colledges and Halls, is far more exact and excellent then in any Foreign Univerſity.

Firſt, All that intend to take any Degree, are to take their Dyet and Lodging, and have a Tutor conſtantly in ſome Colledge or Hall, then they are to perform all Exerciſes, to be ſubject to all Statutes, and to the Head of the Houſe: Next they are to be ſubject to the cheif Magiſtrate of the Univerſity, to perform Publick Exerciſe, and to be ſubject to the Publick Statutes thereof. They are to ſuffer themſelves to be ſhut up by night in their ſeveral Houſes. They are never to be ſeen abroad out of their Chambers, much leſs out of their Colledges, without their Caps and Gowns, (an excellent order, no where obſerved in Foreign Parts, but in *Spain.*)

Their Gowns are all to be black, onely the Sons of the higher Nobility are herein indulged, and all Doctors are honored with Purple, or rather Scarlet Robes, which anciently were allowed onely to Emperors or Kings; but now in *England*, besides the King, all Peers in Parliament, all Doctors in the Universities, all Majors and Governors of Cities, and all the Principal Judges are at certain times cloathed in Scarlet.

The Degrees taken in the Universty are onely two, *viz.* Of *Bachelar* and *Master* (for so they are anciently called, as well in Divinity, Law, and Physick, as in the Arts.) At present, the Degrees in those Three Professions are called *Bachelars* and *Doctors*, onely in the Arts, *Bachelar* and *Master*: Yet is it not to be supposed, That because in Musick, one of the Liberal Arts, he that takes the second Degree, is usually now stiled a *Doctor*, therefore to be preferred before a *Master of Arts*, who is Doctor of all the Liberal Arts; yet Men, otherwise Learned, have sometimes committed such Errors by their Ignorance in words and names.

Every year, at the Act, or time of compleating the Degree of *Master*, both in the Three Professions and Arts (which is always the Monday after the Sixth of *July*) there are (unless some extraordinary occasion hinders) great Solemnities, not onely for Publick Exercises, but Feastings,

Comedies,

Comedies, and a mighty concourse of Strangers, from all parts to their Friends and Relations then compleating their Degrees, whereby, and by the set Fees, it usually costs a Doctor of Divinity, Law or Physick, about One hundred pounds sterling, and a Master of Arts 20 or 30 *l.* sterling.

In these Three Professions, and in the Arts, there proceed Masters or Doctors yearly about One hundred and fifty, and every *Lent* about Two hundred Bachelars of Arts.

The time required by Statute, for studying in the University, before the taking of the forementioned Degrees, because it is much longer then what is required in any Foreign University, shall here be set down more particularly.

To take the Degree of *Bachelar in Arts*, is required four years, and three years more for to be *Master of Arts*.

To take the Degree of *Doctor of Divinity*, the Student must necessarily, first, have taken the Degree of *Master of Arts*, and then after seven years more, he is capable of being *Bachelar in Divinity*, and then four years more is requisite before the Degree of *Doctor* can be had.

To take the Degree of *Doctor of Laws*, the more ordinary way is, in three years after *Master of Arts*, one may be capable of the Degree of *Bachelar*, and in four years more of *Doctor of Laws*, the like for *Doctor in Physick*.

The Exercises required for taking these Degrees are many, and difficult enough, yet not such, but that may be performed in less time, by any Men of good abilities: But it was the Wisdom of our Ancestors so to order, that before those degrees were conferred upon any, and they allowed to practice, they might first gain Judgment and Discretion, which comes with Time and Years, and perhaps, that those of slower parts might, by Time and Industry, make themselves capable of that Honor, as well as those of quicker abilities.

To speak now particularly of the Publick Schools in *Oxford*, of the large Salary to each Publick Professor, of the most famous *Bodlean Library*, that for number of choice Books, curious Manuscripts, diversity of Languages, liberty of Studying, facility of finding of any Book, equals, if not surpasses, the famous *Vatican*: To speak of the curious Architecture, and vast charges of the New Theater, fabricked by the most ingenious Dr. *Christopher Wren*, at the sole cost and charges of the most Reverend Father in God, *Gilbert*, the present Archbishop of *Canterbury*, for the use of Scholastick Exercises, and of that most excellent Printing Press there. To speak of the beautiful, solid Stone Buildings, Chappels, Halls, Libraries, large Revenues, admirable Discipline of several Colledges: To describe the most delightful Publick Physick Garden, abounding with variety of choice Plants, and surrounded

rounded with ſtately Stone Walls at the ſole expences of the Right Honorable *Henry* Earl of *Danby*, would require another Volume.

What hath been ſaid of *Oxford*, the like may be ſaid of Her Siſter *Cambridge*, which for Antiquity, Beautiful Colledges, large Revenues, good Diſcipline, number of Students, plenty of Diet, and of all other things neceſſary for advancement of Learning (if in complaiſance ſhe will at any time give place to *Oxford*, yet at the ſame time) will challenge precedence before any other Univerſity of the Chriſtian World.

Theſe are the two glorious Fountains of Learning, to the fame whereof, Foreigners come on Pilgrimage to offer up Honor and Admiration; and yet, even theſe had lately been like to be dried up, by the over-heated Zeal of ſome ignorant Fanaticks.

Theſe are the cheifeſt Store-houſes of Lettered Men, which ſends forth yearly a great number of Divines, Civilians, Phyſitians, *&c.* to ſerve all parts of this Kingdom.

To ſupply theſe great Store-houſes, there are in ſeveral parts of *England*, Grammar Schools, whereof the principal are *Pauls*, *Weſtminſter*, *Winchęſter*, *Eaton*, *Merchant-Taylers*, the *Charter-houſe*, all richly endowed to maintain Maſters, Uſhers, and a certain number of Scholars; ſo that a childe once admitted into theſe Schools,

if he become capable, may at length be preferred to be Scholar or Fellow in some Colledge of one of these Universities, and will want little or no assistance from his Parents, all his life time after.

Besides these, there are of late Grammar Schools founded and endowed, in almost every Market Town of *England*, wherein the children of the Town are onely to be taught *gratis*, without any other allowance. But in the multiplying of these Schools, it may be doubted, whether there appeared not more Zeal then Prudence; for the Parents of such School-boys, not able to advance them to the Universities, all the rest, besides Reading and Writing, becomes useless; and the Youths, by Eight or ten years lazy living, rendred unapt for the labor belonging to the more profitable Plough, and divers Manufactures, usually turn either Serving-men, or Clerks to Justices or Lawyers, whereby they learn much Chicanery, they become cunning Petty-foggers, multiply Law-sutes, and cozen their Country; or, if perhaps they are set to Trades, that little smattering in Learning, got at the Grammar School, renders them commonly proud, stiff-necked, self-conceited, unapt to be governed, apt to embrace every new Doctrine, Heresie, Schism, Sect, and Faction: Or, in case their Parents are able to put them to the University, yet for want of sufficient maintenance and residence there, they get onely to be half-learned, and thereby a propensity to Preach Faction, Sedition,

Sedition, and Rebellion, to ſeduce thoſe that are more ignorant then themſelves, as was evident in our late unhappy troubles, where it was obſerved, that the *Seducers* were generally ſuch as had been from thoſe Market Latin Schools, advanced to be either Commoners or Servitors, for a ſhort time in the Univerſity; and the ſeduced, ordinarily, ſuch as from thoſe Schools became afterward Shop-keepers or Petty-foggers. If ſuch had been endowed with more or perhaps with leſs knowledge, they had probably been much more humble, loyal, and obedient, to their Governors, both Civil and Eccleſiaſtical; and therefore, the late King of *Spain* conſulting with his ableſt Counſellors of State for a general Reformation of Matters that were found, by experience, to be inconvenient and prejudicial to His Kingdoms; after mature deliberation, came to this reſolution, That amongſt other abuſes, the great number of Countrey Grammar Schools ſhould by a ſolemn *Prematica* or *Ordnance* be diminiſhed, and the childrens time better employed at Manufactures, Trades, Husbandry, *&c.* Beſides, upon ſerious conſideration, it will be found that *England* is over-ſtocked with Scholars for the proportion of its Preferments, and for its employments for Lettered Perſons, whereby it comes to paſs that too many live diſcontented, and longing for Innovations and Changes, and watching for an opportunity to alter the Government both of Church and State.

This following List was provided to be inserted after the account of the standing *Militia* of *England*.

A List of the present Lords Lieutenants of the several Counties and Places of England, *in Alphabetical Order.*

Bedford, Earl of *Aldbury*.
Berks, Lord *Lovelace*.
Briſtol, Duke of *Ormond*.
Bucks, Earl of *Bridgwater*.
Cambridge, Earl of *Suffolk*.
Cheſhire, Earl of *Derby*.
Cornwall, Earl of *Bath*.
Cumberland, Earl of *Carliſle*.
Derby, Earl of *Devonſhire*.
Devon, Duke of *Albemarle*.
Dorſet, Duke of *Richmond*.
Durham, Biſhop of *Durham*.
Eſſex, Earl of *Oxford*.
Glocester, Marquess of *Worcester*.
Hereford, Marquess of *Worcester*.
Hertford, Earl of *Eſſex*.
Huntingdon, Earl of *Sandwich*.
Kent, Duke of *Richmond*.
Lancaſter, Earl of *Derby*.
Leiceſter, Earl of *Rutland*.
Lincoln, Earl of *Lindſey*.

Middleſex,

Middleſex, Earl of *Craven*.
Monmouth, Marqueſs of *Worceſter*.
Norfolk, Lord *Townſend*.
Northampton, Earl of *Peterborough*.
Northumberland, Earl of *Ogle*.
Nottingham, Duke of *Newcaſtle*.
Oxford, Lord *Say* and *Seal*.
Purbeck Iſle, Sir *Ralph Banks*.
Rutland, Viſcount *Camden*.
Shropſhire, Lord *Newport*.
Southwark Borough, Earl of *Craven*.
Somerſet, Duke of *Ormond*.
Southampton, Lord St. *John*.
Stafford, Lord *Brook*.
Suffolk, Earl of *Suffolk*.
Surrey, Lord *Mordant*.
Suſſex, Earl of *Dorſet*.
Wales, Earl of *Carbery*.
Warwick, Earl of *Northampton*.
Weſtmerland, Earl of *Carliſle*.
Wilts, Earl of *Eſſex*.
Worceſter, Lord *Windſor*.
York East-Riding, Lord *Bellaſis*.
York Weſt-Riding, Duke of *Buckingham*.

THus the *Reader* hath had a ſmall Map of a great Monarchy, the moſt juſt and eaſie that ever any people lived under (except onely thoſe who lived in *England*, before the late unparalleld Rebellion) and many ways more happy then that which the great and good States-man *Philip Comines*, ſo much admired in his days, when he

he declared (after he had much commended the Policy of the *Venetian* Commonwealth) That amongst all the Seigneuries in the World, *England* was the Countrey where the State was best ordered, and where there was the least Violence and Oppression upon the People.

FINIS.